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THE TRIAL OF JOHN URY

"FOR BEING AN ECCLESIASTICAL PERSON, MADE BY AUTHORITY PRETENDED FROM THE SEE OF ROME, AND COMING INTO AND ABIDING IN THE PROVINCE OF NEW YORK,"

AND WITH BEING ONE OF THE

CONSPIRATORS IN THE NEGRO PLOT

TO BURN THE

CITY OF NEW YORK,

1741.

Abridged from "The New York Conspiracy; or, A History of the Negro Plot, with the Journal of the Proceedings against the Conspirators, at New York, in the Years 1741-2. By Daniel Horsmanden, Esq. New York (2d ed.) 1810."

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INTRODUCTION.

The account of the trial and execution of John Ury (or Jury) herewith given presents to our view an event which excited general agitation, if not concern, throughout all the British Provinces in 1741.

An alleged Negro Plot to burn the city of New York and massacre the inhabitants created such consternation as to lead to the overthrow of judicial calmness and public self control. Ere Justice had regained the Judicial throne and Reason asserted its authority over the minds of the people John Ury, an alleged "Popish" priest, John Campbell, a schoolmaster and eighteen negroes had been hung, seventy-one negroes transported and fourteen negroes were burned.

The execution took place where is now the City Hall Park and Bowery and near the Five Points.

Concerning John Ury it may be said that, though tried on the specific charge and indictment of being a Roman Catholic priest and evidence given which even now seemingly sustained the charge, by the recital of doings which bore the appearance of being done by a priest of the Catholic Church, yet such evidence was undoubtedly false. Ury was not a Roman Catholic priest but a Non Juror of the Church of England, and a graduate of Cambridge University. What little is known of his history will appear in the annexed report.

It has entered into the belief of Catholics that Ury was a priest—a duly ordained and authorized minister of the Church who had entered New

York to minister secretly to the few Catholics in the city and vicinity and did so contrary to the law of New York, passed in 1700, forbidding such visitation and ministration, and for violation of this law, was executed.

"*The Mission of Death*, a Tale of the New York Penal Laws," by M. T. Walworth. Published by Sadlier & Co.. New York, 1853, is a story founded on "the martydom of Father Ury."

The record of the trial of John Ury herywith given and extracted from Judge Horsmanden's Report of the Trial of the Conspirators of the Negro Plot is not intended to be an account of the alleged Plot and of the trials of the many victims of the frenzy.

Only such portions of the Report as relate to Ury are given, with the design of presenting a succinct account of his memorable trial. Ury was believed to be a Roman Catholic Priest, was tried as a Roman Catholic Priest under a Law intended to punish with Death any Roman Catholic Priest who entered the Province of New York.

His trial shows the temper of the times towards Catholics. Hence the report of his trial belongs to the History of the Catholic Church of Ameriba. He was not of her visible membership nor did he avow fellowship with the Roman Catholic Church, yet, in his person, She was persecuted and he "even unto death," bore the stigma which Intolerance would place upon the brow of her anointed Ministers.

PREFACE TO THE SECOND EDITION.

The History of the Great Negro Plot in 1741, has always been a subject of curiosity, and highly interesting to the citizens of New York. Never having been republished, the work had become so extremely scarce, that it was with the utmost difficulty a perfect copy could be obtained for the present edition.

After a lapse of nearly three-quarters of a century, we look back with astonishment on the panic occasioned by the negro plot, and the rancorous hatred that prevailed against the Roman Catholics. To judge from tradition, and the "Journal of the Proceedings against the Conspirators," no doubt can be had of the actual existence of a plot; but its extent could never have been so great as the terror of those times depicted. The very mode adopted to discover abettors, by mutual criminations and confessions, tended, in the progress of the trials, to inculpate every negro slave in the city. We accordingly find that the number of conspirators daily increased.

As it was impossible to prove all equally guilty, the ringleaders only were executed, and those who, to save their lives, plead guilty and threw themselves on the mercy of the court, were transported.

The city of New York, at this period, contained a population of about 12,000 souls, of which one-third were, in all probability, negro slaves. Insurrections and conspiracies were, at this juncture, frequent in the West India islands, and great apprehensions were entertained of an invasion by the French and Spaniards. These circumstances aggravated the horrors of a domestic plot to such a degree, that the white inhabitants, regarding every negro slave as an incendiary and an assassin, carried their apprehensions and resentments beyond all bounds.

A holy hatred of the Roman Catholics was inculcated by church and state. Our Dutch forefathers, glowing with all the zeal of the early reformers, emigrated to this country, shortly after the emancipation of the United Netherlands from the Spanish yoke, and fostered all the rancour of their race against papists and Spaniards. It was the policy of the English government, after the conquest, to cherish this animosity, and those of our readers, who were born and educated before the American revolution, will recollect how religiously they were taught to abhor the Pope, Devil and Pretender. The act of our provincial assembly against Jesuits and papish priests, passed II William and Mary, and which continued in full force until our independence, was owing, not only to those prejudices, but to the exposed situation of the colony, the northern frontier of which was bounded by Canada, at that time in possession of France, the natural and everduring enemy of England. The predominating influence of the French over the aborigines of this country, was principally ascribed to their priests. The pomp and pageantry of the Romish church powerfully appealed to the senses of the rude savage, who could not so easily comprehend the abstract truths of the Protestant religion. To counteract this influence, and prevent the Indians from being seduced from their obedience to the English crown, this law was enacted against "every Jesuit, seminary priest, missionary, or other spiritual or ecclesiastical person, made or ordained by any authority, power, or jurisdiction, derived, challenged or pretended, from the Pope or See of Rome, or that shall profess himself, or otherwise appear to be such, by practising or teaching of others, to say any popish prayers, by celebrating of Masses, granting of absolutions, or using any other of the Romish ceremonies, or rites of worship, by what name, title or degree so-

ever such person shall be called or known, who shall continue, abide or come into this province, or any part thereof, after the first day of November aforesaid; shall be deemed and accounted an incendiary, and disturber of the public peace and safety, and a disturber of the true Christian religion, and shall be adjudged to suffer perpetual imprisonment. And if any person, being so sentenced and actually imprisoned, shall break prison, and make his escape, and be afterwards retaken; he shall suffer such pains of death, penalties and forfeitures, as in case of felony."

The intolerant spirit of this act shows the horror and detestation in which the Roman Catholics were held, and will account, why so few of this profession existed in this city and colony before the revolution.

In estimating this singular event in our colonial history, the circumstances of the times should be duly considered, before we too hastily condemn the bigotry and cruelty of our predecessors. The advantages of a liberal, indeed of the plainest education, was the happy lot of very few. Intercourse between the colonies and the mother country, and between province and province, was very rare. Ignorance and illiberal prejudices universally prevailed. Their more favored and enlightened posterity will, therefore, draw the veil of filial affection over the involuntary errors of their forefathers, and emulating their simple virtues, endeavor to transmit a brighter example to their successors.

NEW YORK, April 5th, 1810.

SUPREME COURT.

WEDNESDAY, JUNE 24, 1741.

Intimation having been given for some time past, that there had of late been Popish priests lurking about the town, diligent inquiry had been made for discovering them, but without effect; at length information was given, that one Ury alias Jury, who had lately come into this city, and entered into partnership with Campbell, a school-master, pretending to teach Greek and Latin, was suspected to be one, and that he kept a private conventicle; he was taken into custody this day, and not giving a satisfactory account of himself, was committed to the city jail.

THURSDAY, JUNE 25, 1741.

Deposition of Mary Burton, taken before one of the judges. No. 4.—Mary Burton being duly sworn, deposed,

1. That the person yesterday shewn to her in prison, lately taken into

custody on suspicion of being a Roman Catholic priest, is the same person she has often seen at the house of John Hughson; that to the best of her recollection she saw him there first, some time about Christmas last, and that then for a fortnight together he used to come there almost every night and sometimes used to lie there, but was always gone in the morning before she the deponent got up, but she well remembers he used to go by different names, but whether by the name of Jury or Ury, or Doyle, she cannot now depose positively, but to the best of her remembrance, some of his names consited only of one syllable, and believes she has heard him called by all the said three names.

2. That after the said fortnight, she believes the said person did not come to Hughson's for about a week, that then he used to come again frequently almost every night, until the time of the stealing of Hogg's goods; he used to strip himself and go to bed as if he was to lie there all night, but was always gone in the morning when this deponent got out of bed.

3. That when he came to Hughson's he always went up stairs in the company of Hughson, his wife and daughter, and Peggy, with whom the negroes used to be at the same time consulting about the plot; and that she has often heard Hughson, the rest of the white people, and the negroes talk in the presence of the said Jury about setting fire to the houses and killing the white people of this city, and has often. when such conversation was going on, seen the said Jury alias Ury, whispering to Hughson, his wife, &c., and the negroes, which she understood to be joining in the conspiracy with them, she thought it looked very like it, though she cannot say she ever heard him speak out, but said she esteemed his actions and behaviour to signify his approbation and consent to what was carrying on by the company, touching this conspiracy, and this not one time in particular, but a great many.

4. That the conspirators before mentioned generally went into a room above stairs to hold their consultations, and the deponent (being a servant in the house) used often to go into that room to carry such things as they wanted, and often came in upon them at such seasons, when (as she believes) they would rather have excused her appearance, for she has observed that her coming in has sometimes made Jury uneasy, that they used generally to call up Mary Hughson the daughter, to bring what they wanted; but when she was out of the way, the deponent used to go up. She believes the said Mary was likewise in their secrets; never heard her say any thing

of the plot, but has heard the rest talk of it often before her the said Mary.

5. That Hughson, his wife, daughter Sarah, and Peggy, and the said Ury, when this deponent has come into the room amongst them to bring what they wanted, have several times turned out all the negroes present, and then have all joined in tempting this deponent to take an oath; but upon her asking them for what? they would not tell her, but said she must swear first, and then they would tell her, but this she absolutely denied over and over; at which refusal they were angry, and turned her out of the room, and Ury said to her, had not you better swear and go fine, than go as she did; for they all (the Hughsons, Peggy and Jury, had when they proposed to swear her) offered her silks, and a deal of fine things, if she would comply with their request, and Peggy said she was a great fool if she did not.

6. That about a fortnight or three weeks before Hogg's goods were stolen, she has observed Campbell (with whom she has heard Jury used to keep school) come to Hughson's of a Sunday, sometimes one Garrit Van Emborough with him, and that Campbell used to go into the room below with the Hughsons, Peggy, and Cæsar, Prince and Cuffee (negroes) and when these were met, the Hughsons used to turn the deponent up stairs; but she cannot say she ever heard them talking of the plot before Campbell but she strongly suspected that he knew of it, from his keeping company with the Hughsons, and the said three negroes, whom she looked upon to be the principle heads of the negroes in the conspiracy.

9. That one day at Hughson's, some of the negroes had behaved rudely towards her, and being in a passion, she was provoked to swear at them, in the presence of Jury alias Ury, above mentioned, and upon recollecting herself she said, God forgive me; whereupon the said Jury answered her, that was a small matter; he could forgive her a great deal more sins than that; that was nothing.

10. That at another time when the negroes had provoked her, she wished those black toads at the devil; oh, says Jury, let them be black, or what they will, the devil has nothing to do with them; I can forgive them their sins and you yours too.

SUNDAY, JULY 5, 1741.

Examination of William Kane, soldier, taken before the chief and third justice, No. 1.

1. He said that he was born in Athlone in Ireland, had been in this country four and thirty years, aged about forty.

2. That he never was at Hughson's house, nor did he know where it was.

7. That he never was in company with Jury alias Ury, now in jail, nor had he any acquaintance with him; nor was he ever at any congregation or meeting where the said Jury alias Ury, either preached or prayed.

8. That he has no other acquaintance with Connolly, now in jail, than common for one brother soldier with the other; never was at his house in his life.

9. Professed himself a Protestant of the church of England, and said that he never was at any Roman Catholic congregation in his life.

"While Kane was under examination the under sheriff informed the Judges that Mary Burton had declared she had often seen Kane at Hodgson's and that he was one of the confederates. She was called to testify. The Chief Justice, who for the first time now took part in the proceedings "admonished the witness in an awful and solemn manner concerning the nature of an oath and the consequences of taking a false one." She answered she was acquainted with the nature of an oath very well and would not take a false one. She repeated the charges against Kane over and over all of which Kane positively denied.

Then Mary Burton was ordered to withdraw, and Kane was apprized of the danger he was in, and told he must not flatter himself with the least hopes of mercy, but by making a candid and ingenuous confession of all that he knew of the matter; still he denied what had been alleged against him by Mary Burton till upon most solemn admonition, he began to be affected; his countenance changed, and being near fainting, desired to have a glass of water, which was brought him, and after some pause, he said he would tell the truth. * * Several hours were spent in taking down heads of his confession.

He said there was one Jerry Croker, who tended the Governor's stable, when he was sentry at the Governor's door. When he was relieved at nine at night, Croker came into the guard-room and asked him if he would go to Croker's at the Fighting Cocks, where there was to be a christening by a Romish priest, * * * the third night they went to the house of one Coffin, a pedlar; here they had a child and christened it, and three acted as priests, and handed the book about.

One of those who acted as priests, was a little man that lodged at Croker's. [Ury lodged there until he removed to Compbell's, to keep school with him.] The priest, the little man that lodged at Croker's, was several times at Hughson's, and many negroes were christened there by him; he has endeavored to seduce him, Kane, to the Romish religion at Coffin's house; he Kane, was asked whether he could read Latin? he said no; then whether he could read English? he said no, then Coffin read and told him (Kane) what a fine thing it was to be a Roman; that they could forgive sins and should not go to hell; he (Kane) answered he would not believe that on any man's word; and there happened a squabble, and he (Kane) went away, or else he don't know but that they would have seduced him, the priest and Coffin pressed him so. He had not heard the priest say anything of the conspiracy; but from Croker's account he believes he knew it.

That Connolly, on the Governor's Island, has owned himself to have been bred a priest, to him (Kane) and was often in company with Jury; Kelly is a Roman; Connolly and he were intimate.

That Campbell had an opportunity to come to him (Kane) yesterday in jail, and said, though he could pay the debt he was in for, yet he believed they would not let him out, on account of the priest (Ury) that lodged in his house.

That Croker told him (Kane) that Hughson and he had designed to burn the English church last Christmas day but that Ury the priest said they had better let it alone until better weather, that the roof might be dry and a larger congregation. Their full design was to burn the English church; they had a greater spite against that than any other, especially this Jury.

The above examination having been distinctly read over to the said William Kane, he being duly sworn, made oath, that the same was true and signed his mark for his name.

[And it is said Kane was always reputed a Papist.]

MONDAY, JULY 6.

This day John Coffin, pedlar, was apprehended and immediateley brought before two of the Judges, who examined him concerning the charges against him as one of the confederates in the conspiracy. The fellow seemed to be under terrible apprehensions, trembled and cried, but denied everything alleged against him by Kane.

Coffin was committed.

THURSDAY JULY 9.

The King against Quamino and forty-one negroes.

William Kane being duly sworn saith that he had often seen David Johnson at Hughson's, particularly since last Christmas, when there were several negroes present, that he was called from the company that came with him, into a room by Hughson and Jury, the priest, and stayed in the room a considerable time * * that Croker told him the fire was to be on St. Patrick's night, if they could get their hands together.

In examination before the Grand Jury Kane testified:

At the christening, the priest, a countryman, Coffin, another man, three women and Croker; the priest springled the child and had salt on a plate, and rubbed the child's mouth with it. Ury, Coffin and the other man acted as priests.

FRIDAY, JULY 10.

The King against Walter's Quack, Othello, Livingston's Braveboy, negroes.

Sarah Hughson swore that she believes the first time she heard of the plot to burn the city and murder master and mistress * * was when they lived at Ellis' dock about a year ago,

Said she had seen John Ury, their priest, often there when the negroes were there and speak to them; tell them to keep secrecy, and to be true and not to tell of one another if they were to die for it; that they should burn the town down and in the night cut their master's and mistresses throats with knives they should get; told her not to discover what he said, if she did he would be the death of her. He christened Varick's Cæsar and others.

She was sworn by Jury [meaning into the conspiracy] when Kane was, of a Sunday night as things were generally done on Sunday nights.

Jury, the priest, told her and her father, he could forgive their sins, if they did not discover.

Peggy [executed] was sworn and was a Roman.

Jury told us all that he could forgive our sins. if we did any misdemeanor, and said if she would confess to him, he would forgive her all her sins, which was done; and he could forgive all of them, what they were to do in this business of the plot; and thinks he made her father and mother Papists. He used to christen negroes at several times. Negroes said they went to him and he prayed for them.

Jury said if they discovered all their sins to him, he could forgive them;

she said that none but God could, if they prayed to him; he said the priest could as well as God.

MONDAY, JULY 13.

At the examination this day against Le Roux's Quash, Bastian, a negro, testified.

5. Has heard Billy (Ward's negro, executed) say, that they (the negroes) had a frolic in the Broadway at a soldier's, where were present, a Roman priest, and Quack (Walter's) amongst other negroes; and that the priest swore the negroes of the plot, and said he could forgive them all the sins that they did.

In the examination of Mary Burton and William Kane this day it was testified:

4. The white men where to have companies of negroes under them, and Hughson told them they might order their companies as they thought fit; and Jury (Ury) the priest, used to be with them.

TUESDAY, JULY 14.

Examination of John Ury, before the Chief Justice and third justice, apprehended upon suspicion of being a Romish priest, and a confederate in the conspiracy.

John Ury, school-master, denies being any wise concerned in the conspiracy for burning the town and killing the inhabitants, says, that he never was any wise acquainted with John Hughson or his wife, or Margaret Kerry, nor did he ever see them in his life, to his knowledge.

In the examination before the Grand Jury William Kane testified—

2. That David Johnson came one evening to Hughson's, with three women, a little (as he imagined) in liquor. That Ury, the priest, took Johnson by the shoulder when he came in, and carried him to another room, where some negroes were; that he (Johnson) came in a short time out of the room, and took the examinant by the shoulder, and said, d—n ye, don't be down-hearted, never fear, for we shall have money enough by-and-by, and that immediately he swore, in the room that he came into, in the presence of the company, that he would help to burn the town, and kill as many white people as he could.

4. That Holt, the dancing-master, was frequently at Hughson's, in company with the priest; that he never heard any of them say that they would assist at burning of the houses and killing of the people; but that both were in the room where some negroes were sworn, and where burning

of the town and killing of the people was spoke of in so free an blic a manner that he had reason to believe that both of them heard all that was said on that subject.

6. That a young gentleman with a pigtail wig, used frequently to come there with Corry, Ury the priest, and Holt; he never saw him in company with any negroes, as those other white people used to be when he was absent.

WEDNESDAY, JULY 15.

Six negroes were this day tried—

Kane said he had seen Frank very often at Hughson's, saw him sworn of the plot, and was with Ury; he was to burn the city, and kill the people; there were several other negroes with the priest; this was last winter, Galloway and doctor Harry were with him at the same time; Frank used to say he would be Captain Holland.

The court charged the jury, who withdrew, and being soon returned, found the prisoners all *guilty*.

The King against John Ury alias Jury.

The prisoner having been indicted for counselling, abetting, and procuring, &c., a negro man slave called Quack, to set fire to the king's house in the fort, in pursuance of which the said house, &c., was burnt; he was brought to the bar and arraigned thereon, and thereon pleaded *not guilty*.

The King against the same.

The prisoner having been indicted a second time, on an act of the general assembly of the province, passed in the eleventh year of King William the third; for that he being an ecclesiastical person, made by authority pretended from the See of Rome, did after the time limited in the said act, come into the province and city of New York, and there remain for the space of seven months, and did profess himself to be an ecclesiastical person, made and ordained by authority from the See of Rome, and did appear so to be, by celebrating masses, and granting absolution &c. on which indictment he was also arraigned and thereto pleaded *not guilty*.

[Entitled, an act against Jesuits and Popish priests, by the second clause of this act, it is enacted, "That all and every Jesuit, seminary, priest, missionary, or other spiritual or ecclesiastical person, made or ordained by any authority, power or jurisdiction derived, challenged, or pretended from the Pope or See of Rome, or that shall profess himself, or otherwise appear to be such, by practising and teaching of others to say any Popish prayers, by celebrating masses, granting of absolutions, or using any other of the Romish ceremonies, and rites of worship, by what name, title

or degree soever, such person shall be called or known, who shall continue, abide, remain, or come into this province, or any part thereof, after the first day of November aforesaid (1700) shall be deemed and accounted an incendiary and disturber of the public peace and safety, and an enemy to the true christian religion, and shall be adjudged to suffer perpetual imprisonment. And if any person being so sentenced and actually imprisoned, shall break prison and make his escape, and he afterwards retaken, he shall suffer pains of death, penalties and forfeitures, as in cases of felony."

An extract taken this day by the grand jury, from Ury, the priest's journal, seized upon his commitment.

[He] arrived at Philadelphia, 17 February, 1739—At Lundinum(*x*) 5th March, 1739—To Philadelphia, 29th April, 1739—Began school at Burlington, in New Jersey, 18th June, 1739—Occulto, (*z*) Jacobus Atherthwait 28th July, 1739—Came to the school at Burlington, 23d January, 1740—He saw ——— 7th May, 1740—At 5 he went to Burlington, to Piercy the madman—Went to Philadelphia, 19th May, 1740—Went to Burlington, 18th June, 1740—At 6 in the evening to Pennefack (*a*) to Joseph Ashton—Begun school at Dublin (*b*) under Charles Hastee, at 8 *l.* a year, 31st July, 1740 —— 15th October, 1740 —— 27th October—Came to John Croker (at the fighting cocks) New York, 2d November, 1740—I boarded gratis with him, 7th November, 1740—Naturo Johannis Pool, 26th December, 1740—I began to teach with John Campbell, 6th April, 1741—Baptized Timothy Ryan, born 18th April, 1740, son of John Ryan and Mary Ryan, 18th May, 1741.

Pater confessor Butler 2 Anni. non sacramentum non confessio.(*d*)

TUESDAY, JULY 21.

Present, the chief justice, the second and third justices.

The King against John Ury.

Mr. Chambers, of counsel for the king in this prosecution, moved to put off the trial of the prisoner, Ury, until the next term.

Ordered accordingly, and that the prisoner have sufficient notice of trial.

(*x*) London, a town in Pennsylvania, upon the borders of Maryland.

(*z*) What was done privately or covertly between Ury and him is like to remain a secret.

(*a*) i. e. Pennypack in Pennsylvania.

(*b*) There are two Dublins, Upper and Lower in Pennsylvania, supposed to be so named from Irish settlers.

(*d*) Who father confessor Butler was also remains a secret as to us. Suppose some reverend gentleman residing in a neighboring colony. Ury minutes it as if it were something observable, that there was neither sacrament nor confession for two years, i. e. in the popish way of ceremony, as may be presumed.

WEDNESDAY, JULY 22.

Present, the chief justice, the second and third justices.

The King against John Ury alias Jury.

John Ury was arraigned on a new indictment, for being an ecclesiastical person, made by authority pretended from the See of Rome, and coming into and abiding in this province after the time limited by the act of assembly made the 11th of William III, &c., as in the other indictment; [in the former indictment there having been a mistake] and pleaded *not guilty, &c.*

Court adjourned till to morrow morning, eleven o'clock.

The further examination of Sarah Hughson, before chief justice, No. 2.

1. She said that she had often seen Ury, the priest, at her father's house, who used to come there in the evenings and at night, and has seen him in company with the negroes, and talking with them about the plot of burning the town and destroying the white people.

2. That she has seen him several times make a round ring with chalk on the floor, and make all the negroes then present stand round it, and he (Ury) used to stand in the middle of the ring, with a cross in his hand, and there swore all the negroes to be concerned in the plot, and that they should not discover him, nor any thing else of the plot, though they should die for it.

3. That William Kane used often to come there with the negroes, and once, as she remembers, he came there with Ury the priest, who swore him into the plot, and several negroes, in particular, Vaack's Cæsar, Comfort's Jack, Auboyneau's Prince, Walter's Quack, Philipse's Cuffee, Peggy, and the examinant herself, and her father and mother; that all this was done the last winter, and she thinks before Christmas.

4. That she saw him, the said Ury, baptize the above named negroes, or some of them, and told them he made them Christians, and forgave them all their sins, and all the sins they should commit about the plot, and preached to the negroes; Kane being there also

5. That she has heard Vaarck's Cæsar, Philipse's Cuffee, and other negroes say, that they used to go Ury's lodging, where they used to pray in private after the popish fashion, and that he used to forgive them their sins for burning the town and destroying and cutting of the people's throats.

6. That Ury afterwards told the examinant that she must confess what

sins she had been guilty of, to him, and he would forgive her them; that she told him that she had been guilty of no other sins but cursing and swearing in a passion; upon which he told her, as she had taken the oath to be concerned in the plot, he pardoned her her sins; she replied that she did not believe that any body could forgive her sins but God; and he said yes, he and all priests could, if the people did but do what the priests bid them, and followed all their directions; that Peggy used to confess in private to Ury, and she heard him tell her if she would confess all the wickedness she had done in the world he would forgive her, and particularly about the plot, and she says that Peggy has often told her she was a strong Papist.

FRIDAY, JULY 24.

Present, the chief justice, the second and third justices.

Court opened and adjourned till to-morrow morning, nine o'clock.

Deposition before one of the judges—Elias Debrosse, of New York, confectioner, being duly sworn, deposeth, that John Ury, now in jail, said to be a popish priest, came to this deponent's house about three months since, alone with one Web, a carpenter, and asked if he had any sugar bits or wafers to sell? (the bits are usually made, as the deponent apprehends, in imitation of Spanish silver coin) this deponent shewed the said Ury some confectionary in imitation of dogs, hawks, owls, lambs and swans, supposing that he wanted them to give away to please children, but told him he had no bits or wafers; then the said Ury asked the deponent, whether the Lutheran minister had not his wafers of him? or whether that paste which the deponent shewed him was not made of the same ingredients as the Lutheran ministers? or asked the deponent some question to that purpose; then the deponent told him the said Ury, that if he had a congregation, and wanted any such things, that he might get a mould made by any joiner for that purpose; the deponent asked the said Ury, (supposing him to be a professor of some particular sect) where his congregation was? and this he asked him two or three times; but the said Ury waved giving the deponent any answer thereto.

MONDAY, JULY 27.

Deposition taken before one of the judges—Jeseph Web of the city of New York, carpenter and house joiner, being duly sworn, deposed, that some time last fall, about the latter end of October or beginning of November, to the best of his remembrance, he was at work at John Croker's, at the

fighting cocks, and there became acquainted with John Ury; and hearing him read Latin and English to some people in the house, and thinking that he read very well, he inquired of Croker who he was, and he informed him he was a school-master lately came from Philadelphia, and taught the children to read; that after this he became acquainted with the said Ury, and asked him if he would teach a child of his? and he said he would, if Croker would give him the liberty of coming to his house, and Croker agreed to it, and he sent his child to him.

2. That afterwards, this deponent and Ury growing more intimate, and deponent observing a poor and mean appearance in his clothing, he thought his pocket answerable thereto, and gave him an invitation to his house and told him he should be welcome to his table noon and night at any time when he saw proper, and Ury accordingly came to this deponent's house frequently, all the winter afterwards, and in their conversation he understood by the said Ury, that he professed himself a nonjuring minister; and that he had been taken into custody in London for a book that he wrote and printed, that some critics picked a hole in it and construed it treason, which was contrary to his intent and meaning; but by means of some friend (a great man) who knew his family very well and had a regard for him he had his liberty and got away; and that by leaving England he lost a living (as the deponent understood him) church preferment of 50*l.* a year income.

3. That the said Ury told the deponent in some of their conversation, that in the time of the late king William the third the said king offered to a certain bishop (whose name he does not now remember) a bishoprick of about nine thousand pounds a year if he would take the oaths; but that the said bishop refused to comply therewith; or that the said bishop was in possession of that preferment and was ousted upon refusing to take the oaths; or the said Ury expressed himself to one or other of those purposes; and that the deponent asked him the said Ury, how they did then, when that bishop was dead? why said Ury they take it by seniority in a regular succession; and Ury declared that he himself was ordained by a bishop, who took his bishoprick by seniority and regular succession, or expressed himself to that purpose, as the deponent understood him.

4. That Ury in some of his conversations with him upon religious topics, expressed himself in such a dark, obscure and mysterious manner, that the deponent could not understand him; he would give hints that he could neither make head nor tail of.

5. That some time in May last, since the said Ury went to live at Campbell's, in the house where Hughson lived, the said Ury asked the deponent whether he knew of any confectioner? and the deponent carried him to Mr. De Brosse; and when he came there he asked De Brosse to shew him some confectionary, and Ury likewise asked De Brosse whether the Lutheran minister had his waters of him? and De Brosse said no he had not them of him; that De Brosse shewed Ury confectionary in different shapes (that is to say) some lions, some dogs, and cocks (as deponent thinks) but Ury said they would not suit him, and so went away.

6. That one day the conversation between Ury and deponent was about negroes; deponent having said they had souls to be saved or lost as well as other people; Ury said they were not proper objects of salvation; deponent replied what would you do with them then, what would you damn them all? no, says Ury, leave them to that Great Being that has made them, he knows best what to do with them; says Ury, they are of a slavish nature, it is the nature of them to be slaves, give them learning, do all the good you can, and put them above the condition of slaves, and in return they will cut your throats.

7. That after Campbell removed to Hughson's house, Ury removed thither about a week or ten days after him, and the deponent went thither three times, and heard him read prayers, in the manner of the church of England, but in the prayers for the king he only mentioned our sovereign lord the king, and not king George; the drift of his first sermon was against drunkenness and debauchery of life and against deists; the first part of his second sermon was much to the same purpose with the former, and the latter part was an admonition to every one to keep to their own minister; they that were of the church of England, to the English minister, those that were of the Lutheran persuasion to keep to that, and those of the Presbyterian to keep to their ministers, and not to have itching ears to run after every new minister; that he did not propose to set up a society for preaching to them, that he only gave a word of admonition at the request of the family where he was.

8. That at his third sermon Mr. Hildreth was present and Ury therein took notice of two ministers that had lately preached in this city, whose doctrine he condemned; the particulars that the deponent remembers he took notice of, were their preaching up that faith without works were suf-

ficient for salvation; he said that this destroyed two grand attributes of God Almighty, his justice and mercy (as he thinks), and insists that there must be good works. This was the Sunday before the king's proclamation day, and at the close he warned the persons present that on the king's proclamation day, at five o'clock in the evening, he intended to preach upon the following words, among others: Upon this rock I will build my church and the gates of hell shall not prevail against it (concerning St. Peter) and these other words, whosoever sins ye remit, they are remitted, and whosoever sins ye retain, they are retained. This is to the best of deponent's remembrance, but deponent has not heard that he preached according to that warning.

9. That the deponent has heard Ury say, that such a time and such a time was his sacrament day and that he must receive the sacrament and he thinks he has heard him say that he must administer the sacrament but cannot be positive,

The judges of the supreme court having for some time past had under consideration the case of Sarah Hughson, daughter of John Hughson and Sarah his wife, all lately convicted as accomplices in the conspiracy; the circumstances of her misfortune of having been trained up under the influence and evil example of such wicked disposed parents, bore great weight with them; they were therefore inclinable (if she could be prevailed upon to give some colour for it) to recommend her to his honor the lieutenant governor as an object of mercy, and in this expectation her execution (which by order of the court was proposed to have been at the same time with her father and mother) had been from time to time respited; but after their execution she remained for some time very obstinate and though there was great reason to expect that it was in her power to give a further insight into this scene of iniquity, yet she remained inflexible after several examinations and would discover nothing; till at length they were under a necessity of calling her up to sentence and appointing a day for her execution, propcsing this as the last experiment to bring her to a confession, which happened to have the intended effect, and if there could be any dependence upon her veracity in what she had declared (and that she has discovered some truths not before brought to light, they judged from the nature of the conspiracy, so far as it has been unfolded) and if she could be affected with a sense of gratitude for saving her life upon so small merit and kept to her history concerning John Ury then in custody, and soon to

be tried as an accomplice in the plot, and also a Roman Catholic priest, they thought she would be a very material evidence against him; on these considerations they thought fit this day to recommend her to his honor for a pardon, as an object of mercy.

TRIAL OF JOHN URY *alias* JURY.

SUPREME COURT.

WEDNESDAY, July 29, 1741.

Present, the chief justice, the second and third justices.

The King against Sarah Hughson, the daughter.

The criminal convict being set to the bar, the court demanded of her what she had to say why execution of her former sentence should not be awarded against her? She thereupon produced and pleaded his majesty's most gracious pardon, and the same was read and allowed of.

The King against John Ury alias Jury.

The prisoner was brought to the bar and the court proceeded upon his trial as followeth:

Clerk in court. Cryer, make proclamation for silence.

Cryer. O yes! Our sovereign lord the king does strictly charge and command all manner of persons to keep silence upon pain of imprisonment.

Cryer. If any one can inform the king's justices, the king's Attorney General for this province, or the inquest now to be taken on behalf of our sovereign lord the king, of any treason, murder, felony, or any other misdemeanor committed or done by the prisoner at the bar, let them come forth and they shall be heard, for the prisoner now stands upon his deliverance.

Clerk. Cryer, make proclamation.

Cryer. O yes! You good men that are impanelled to inquire between our sovereign lord the king, and John Ury alias Jury, the prisoner at the bar, answer to your names.

Clerk. John Ury alias Jury, hold up thy hand.

These good men that are now called and here appear, are those which are to pass between you and our sovereign lord the king, upon your life or

death; if you challenge any of them, you must speak as they come to the book to be sworn, and before they are sworn.

[The court apprized the prisoner of the nature and extent of that liberty the law allowed him for making his challenges to the jurors.]

The prisoner challenging none, the court proceeded and the jury were sworn, to wit: William Hamersley, Gerardus Beekman, John Shurmur, Sidney Breese, Daniel Shatford, Thomas Behenna, Peter Fresneau, Thomas Willet, John Breese, John Hastier, James Tucker, Brandt Schuyler.

Clerk. Cryer, make proclamation.

Cryer. O yes! Our sovereign lord the king does strictly charge and command all manner of persons to keep silence upon pain of imprisonment.

Clerk. You, gentlemen of the jury, that are now sworn, look upon the prisoner and hearken to his charge.

The prisoner stands indicted, for that, whereas a negro man slave, called Quack, belonging to John Roosevelt of the city of New York, merchant, on the eighteenth day of March, in the fourteenth year of the reign of our sovereign lord, George II. by the grace of God, king of Great Britain, &c., at the city of New York, into a certain dwelling house of our said lord the king, which then was standing and being at the fort in the said city of New York, and was then in the possession of the Hon. George Clarke, esq., his majesty's lieutenant governor of the province of New York, did enter, and of his malice afore-thought, lighted fire, then and there wickedly, maliciously, voluntarily, wilfully, and feloniously did put and with the said lighted fire, he the said negro man slave called Quack, the dwelling house aforesaid, and then and there wickedly, &c. did set on fire and burn and wholly consume and destroy, against the peace of our said sovereign lord and king, his crown and dignity: and that John Ury alias Jury, private schoolmaster, on the twenty-second day of February, in the said fourteenth year of the reign of our said lord the king, and divers other days and times, before the felony and burning aforesaid, in form aforesaid, done and perpetrated at the city of New York, of his malice afore thought, wickedly, maliciously, voluntarily, wilfully and feloniously, did counsel, abet, procure and encourage the aforesaid negro man slave called Quack, the felony and burning aforesaid, in form aforesaid committed and perpetrated, to commit and perpetrate, in most pernicious example of

all others in like case offending, contrary to the form of the statutes in such case made and provided, and against the peace of our sovereign lord the king, his crown and dignity.

Upon this indictment he has been arraigned and hath pleaded thereunto, *not guilty*, and for his trial hath put himself upon God and his country, which country you are.

Your charge is to inquire, whether he be guilty of the felony whereof he stands indicted, or not guilty. If you find him guilty, you are to inquire what goods and chattels, lands and tenements he had at the time when the felony was committed, or at any time since. If you find him not guilty, you are to say so, and no more, and hear your evidence.

Of counsel for the king—the Attorney General, Mr. Murray, Mr. Alexander, Mr, Smith, Mr. Chambers.

The Attorney General, Richard Bradley, Esq., addressing himself to the court and jury, opened the indictment, and proceeded as followeth.

In order to maintain the charge against the prisoner, upon the indictment, we shall produce to you the following evidence, to wit :

That the prisoner was actually concerned in the plot to burn the king's house and this city, and murder the inhabitants.

That he has frequently been at Hughson's house in company with Hughson, his wife and daughter, and Margaret Kerry, and with divers negroes, talking with them about the plot and counselling and encouraging them to burn the king's house and the town, and to kill and destroy the inhabitants ; that the negro Quack who burnt the king's house, was present at one or more of those times when the prisoner counselled and encouraged the negroes as aforesaid ; that he advised them what would be the fittest time to set the English church on fire ; and that the prisoner, as a popish priest, baptised Hughson, his wife and daughter and Kerry, and also divers negroes, and told them then, and at several other times, that he could forgive sins and that he forgave them their sins relating to the plot.

That when he was with the negroes at Hughson's house he used to make a round ring on the floor with chalk, or some other thing, and stand in the middle of it with a cross in his hand and swear the negroes into the plot and that they should not discover either the plot or him, or any other person concerned in it, though they were to die for it,

That some time last winter, he (at Hughson's house) swore Hugh-

son, his wife and daughter, and Kerry, and several negroes into the plot.

That he went by several names, and that when he baptised the negroes or any of the conspirators, he used to tell them he forgave them all the sins they should commit about the plot.

We shall likewise produce to you a letter from General Oglethorpe to his honour, our governor, whereby it appears, that some time before the plot broke out here, the Spaniards had employed emissaries to burn all the magazines and considerable towns in the English North America, and that many priests were employed, under pretended appellations of physicians, dancing-masters, and such like occupations, and under such pretences to get admittance into, and confidence in families.

This, gentlemen, was their hellish device to set on foot and carry on the late dreadful conspiracy among us; and the prisoner, in conjunction with Hughson (as we now have reason to believe) drew in the rest of the conspirators.

Gentlemen, what I have alleged, and much more, you will hear fully proved against the prisoner, by the witnesses for the king on this trial; but before we enter upon their examination, give me leave to say a few words concerning the heinousness of the prisoner's offences, and of the popish religion in general, which I shall speak but very briefly to, as there are several other gentlemen of counsel for the king on this trial, and as I have not had either health or leisure to prepare to say much on this occasion.

Gentlemen, the late dreadful conspiracy to burn the king's house, and this whole town, and to kill and destroy the inhabitants, which the prisoner, as well as Hughson, advised and encouraged, and swore many of the conspirators to join and bear their parts in, are crimes of too black and inhuman a nature to need any aggravation, and no doubt, the prisoners engaging at the peril of his own life, in so destructive, so bloody and dangerous an enterprize, proceed from his being employed in it by other popish priests and emissaries, and his zeal for that murderous religion; for the popish religion is such, that they hold it not only lawful but meritorious to kill and destroy all that differ in opinion from them, if it may any ways serve the interest of their detestable religion; the whole scheme of which seems to be a restless endeavour to extirpate all other religious whatsoever, but especially the protestant religion, which they

maliciously call the Northern heresy: and to attain this wicked end, their first trick is, by subtle arguments to persuade the laity out of their senses, by shewing them a seeming necessity for their believing as their church believes, if they tender their own salvation; and this with many more frauds, the church of Rome has artfully devised to get an absolute dominion over the consciences, that they may the more easily pick the pockets of credulous people; witness the pretended pardons and indulgences of that crafty and deceitful church, and their masses to pray souls out of purgatory, which they quote (or rather wrest) scripture for, when no such thing is to be found there; but it is a mere invention and cheat of their own to gull the laity of their money.

Then they have their doctrine of transubstantiation, which is so big with absurdities that it is shocking to the common sense and reason of mankind; for were that doctrine true, their priests by a few words of their mouths, can make a God as often as they please; but then they eat him too, and this they have the impudence to call honouring and adoring him. Blasphemous wretches! for hereby they endeavour to exalt themselves above God himself, inasmuch as the creater must necessarily be greater than his creature.

These and many other juggling tricks they have in their hocus pocus, bloody religion, which have been stripped of all their wretched disguise, and fully exposed in their own colours by many eminent divines, but more particularly by the great Dr. Tillotson, whose extraordinary endowments of mind, his inimitable works, and exemplary piety and charity have gained him such universal esteem and applause throughout all the protestant world, as, no doubt, will endure as long as the protestant name and religion lasts, which I hope will be to the end of time

Gentlemen, when you have heard the witnesses prove to you what I have alleged against the prisoner, I make no doubt but you will, for your oaths sake, and for your own country's peace and future safety, find him *guilty*.

Witnesses for the king.—Mr. George Joseph Moore, clerk in court, sworn.

He proved the arraignment and conviction of Quack, on the twenty-eight and twenty-ninth days of May last, who set fire to the fort.

Mary Burton sworn.

Mr. Chambers. Mary, give the court and jury an account of what you know concerning this conspiracy to burn down the town and murder and destroy the inhabitants, and what part you know the prisoner at the bar has acted in it; tell the whole story from the beginning, in your own method, but speak slow, not so hastily as you usually do, that the court and jury may the better understand you.

Mary Burton. Why I have seen Ury very often at Hughson's about Christmas and new-year, and then he stayed away about a fortnight or three weeks, and returned again about the time that Hogg's goods came to our house. I have often seen him in company with Hughson, his wife and daughter, and Peggy, and several negroes, talking about the plot, burning the fort first, then the fly, and then the dock; and upon some of the negroes saying they were afraid of being damned for being concerned in the plot, I heard Ury tell them they need not fear doing of it, for that he could forgive them their sins as well as God Almighty, and would forgive them. They were to burn the whole town and to kill the people: Ury was to be captain of a company of negroes, and he was to begin the fire where he lodged; (*p*) that when they were once together above stairs, Ury, Hughson, his wife and Peggy, they called Mary, and I went up, but when I came up stairs, Ury had a book in his hand, and bid me go away, and asked me what business I had there, and said they did not call me, they called Mary Hughson, and he was angry and shut the door too again, and I looked under it, and there was black ring upon the floor, and things in it that seemed to look like rats, I don't know what they were.(*q*)—That another time I heard him talking with the negroes, Quack and others, about the plot, and turned the negroes out of the room and asked me to swear? and I said I would swear if they would tell me what I was going to swear, but they would have me swear first; and Hughson and his wife went and fetched silks and gold rings, and offered them to me in case I would swear, but I would not, and they said I was a fool; and Ury then told me he could forgive sins as well as God, I answered I thought it was out of his power. That one night, some time about new-year, I was listening at the door of the room upon the stairs, where there was Ury, Hughson, his wife and daughter Sarah, Vaarck's Cæsar, Auboyneau's Prince, Philipse's Cuff and other negroes; and I looked through the doo and saw upon the table a black thing like a child, and Ury had a book in

his hand and was reading, but I did not understand the language; and having a spoon in my hand, I happened to let it drop upon the floor, and Ury came out of the room, running after me down stairs, and he fell into a tub of water which stood at the foot of the stairs, and I ran away. When they were doing any thing extraordinary at nights, they would send me to bed.

Prisoner. You say you have seen me several times at Hughson's, what clothes did I usually wear?

Mary Burton. I cannot tell what clothes you wore particularly.

Prisoner. That is strange, and know me so well.

M. Burton. I have seen you in several clothes, but you chiefly wore a riding coat, and often a brown coat trimmed with black,

Prisoner. I never wore any such coat.

Prisoner. What time of the day did I use to come to Hughson's?

M. Burton. You used chiefly to come in the night time, and when I have been going to bed I have seen you undressing in Peggy's room, as if you were to lie there; but I cannot say that you did, for you were always gone before I was up in the morning.

Prisoner. What room was I in when I called Mary, and you came up, as you said?

M. Burton. In the great room up stairs.

Prisoner. What answer did the negroes make when I offered to forgive them their sins, as you said?

M. Burton. I don't remember.

William Kane, soldier, sworn.

Mr. Chambers. Kane, will you give the court and jury an account of what you know of the prisoner at the bar, and of his being concerned in the conspiracy for burning the fort, and the town, and murdering the inhabitants? give the whole account at large.

William Kane. I know the prisoner very well, I have seen him at Croker's, at Coffins, and Hughson's; and particularly with Daniel Fagan, Jerry Croker, and one Plummer, and several negroes, at Hughson's. Jerry Croker was one of the first that brought me into the plot. One day before Christmas last, I was standing sentry at the governor's door, and Jerry Croker coming out, I being dry asked him for beer; Jerry said he would get some, that he had rum in his pocket, and would make flip. and then he went in and made it in a copper pot, and told me it was with loaf sugar, I

drank a draught of it; and when I was relieved at night, Croker came into the guard room, and asked me if I would go to Croker's at the fighting cocks, where there was to be a christening by a Romish priest: we went thither and stayed till ten o'clock, but the people did not come that night, the next night Croker and I went there again, but the people were not there: the third night we went to New-street, to the house of one Coffin, a pedlar, there they had a child and Ury christened it, and read Latin; three acted as priests and handed the book about. Ury put salt into the child's mouth, sprinkled it thrice, and crossed it. That Ury and Croker there endeavoured to persuade me to be a Roman catholic; Ury said it was best to be a Roman, they could forgive sins for any thing ever so bad; I told him I did not believe him, and Croker told me that Ury and all priests could forgive sins. That Ury was present at Hughson's, when John Hughson swore me and his father and brothers into the plot, there was Quack and forty or fifty negroes there at the same time; we were to burn the town and destroy the people. David Johnson was there, and Ury tapped him on the shoulder, and they went into a room together and stayed a quarter of an hour, and when they came back Johnson said d——n me, but we will burn the Dutch and get their money. That by Ury's persuasions that he could forgive sins, many were brought in to be concerned: Ury was near me when I was sworn, and the Hughson's and I took him to be one of the head; Ury wanted to christen me, but I would not, and he would not speak to me, nor before me for a long time. for he could not abide me because I refused to become a Roman, till after he knew I was concerned in the plot, and even then he did not much care for me: Ury was by when Hughson swore eight negroes into the plot in a ring, and it was then talked among them of burning the fort, and Quack (who was present) was at that time pitched upon to do it, in the presence ef Ury, who he believed might and did hear it, Jerry Croker told me, that the English church was intended to be burnt on Christmas day last, but Ury put it off, and said that when the weather was better, then there would be a fuller congregation.

Prisoner—You say you have seen me very often, you saw me at Coffin's, you saw me several times at Hughson's, pray what clothes did you see me in?

Kane—I have seen you in black, I have seen you in a yellowish great coat, and sometimes in a straight bodied coat, of much the same colour.

Prisoner—What time of the day have you seen me at Hughson's, and what did I say to you?

Kane—I have seen you there chiefly at nights, and you told me you could forgive me my sins, and there would be no fear of damnation, and you wanted to christen me.

Prisoner—You say you saw me christen a child in New-street, how was the child drest, and what cermony did I use, and who was present there then?

Kane—The child was not naked, it was dressed as usual; and you put it on your left arm, and sprinked it with water three times, and put salt in its mouth, and crossed it, as I said before; there were about nine persons present.

Prisoner—Did I use any thing besides salt and water?

Kane—Not that I saw.

Prisoner—Who were present at the christening?

Kane—Eight or nine persons, I think; there was Jerry Croker, Daniel Fagan; Coffin, you, the mother of the child, myself, and two or three more.

Prisoner—You say you saw me at Hughson's several times, what room was I usually in?

Kane—Sometimes in one room, and sometimes in another.

Prisoner—At what time was I there?

Kane—At night.

Prisoner—What habit have you seen me wear?

Kane—A black coat, yellowish surtout, and sometimes a light coloured close bodied cape coat.

Prisoner—What did I offer in order to induce you to become a Roman catholic?

Kane——Forgiveness of all my sins past, and what I should do in this case; and I said to you, what a fine thing it is to be of such a religion, when a priest can forgive sins, and send one to Heaven.

Mr. Chambers—Call Sarah Hughson.

Prisoner—I except against her being sworn, for she has been convicted, and received sentence of death for being concerned in this conspiracy, and therefore cannot be a witness.

Attorney General—But Mr. Ury, she has recived his majesty's most gracious pardon, which she has pleaded in court this morning, and it has been allowed of, and therefore the law says, she is good evidence. H. Hawk. title pardon. Chap. 37, § 48.

Court—Her pardon has been pleaded and allowed, and by law she may be admitted.

Sarah Hughson sworn.

Mr. Chambers—Sarah, do you give the court and jury an account of what you know of Ury's being concerned in this conspiracy.

S. Hughson—I know him, and have often seen him at my father's, late in last fall chiefly: I have seen him there at nights in company with negroes, when they have been talking of burning the town and killing the white people. I have seen him make a ring with chalk on the floor, which he made the negroes stand round put their left foot in, and he swore them with a cross in his hand, to burn and destroy the town, and to cut their master's and mistress's throats. He swore Bastian, Vaarck's Cæsar, Auboyneau's Prince, and Walter's Quack; he swore them to keep secret, not to discover him or any body else, if they were to die for it. I have heard Ury, and the negroes, talk of burning the fort; and he said, if that did not do, they were to begin at the east end of the town, with a strong easterly wind, and that would go through the whole town. He asked me to swear to the plot, and said that I should have all my sins forgiven, if I kept all secret; and he swore me on an English book, and my parents and Peggy were by; and he swore Peggy too; and I heard him tell her, that all the sins which she had committed should be forgiven her; and he told her, that priests could forgive sins as well as God, if they would follow their directions. That he used to christen negroes there; he christened Cæsar, Quack and other negroes, crossed them on the face, had water and other things; and he told them he would absolve them from their sins.

Prisoner—How did I swear you?

S. Hughson—On a book: I believe it was an English book.

Prisoner—Who was present when I swore you?

S. Hughson—My parents, Peggy, Kane, and others.

Prisoner—You say I baptized several people, pray what ceremony did I use at baptizing?(r)

S. Hughson—When you baptized the negroes, you made a cross upon their faces, and sprinkled water, and you used something else, but I cannot tell what; and you talked in a language which I did not understand.

Prisoner—Whom did I baptize?

S. Hughson—Cæsar, Prince, Bastian, Quack, Cuffee, and several other negroes.(s)

Mr. Murray, counsel for the king—If your honours please, I have a piece of evidence, which I would not offer until I have opened the nature of it; it has been hinted at by Mr. Attorney, in the opening; which is a letter from general Oglethorpe to the lieutenant governor, informing him, that a party of Indians had returned to Georgia, on the eight of May last, from war against the Spaniards, who in an engagement with a party of Spanish horse near Augustine, had taken one of them prisoner, and had brought him to the general; that the Spaniard in his examination before the magistrates in Georgia, had given some intelligence of a villainous design of a very extraordinary nature, that the Spaniards had employed emissaries to burn all the magazines and considerable towns in the English North America, thereby to prevent the subsistence of the English fleet in the West-Indies; and that for this purpose, many priests were employed, who pretended to be physicians, dancing-masters, and other kinds of occupations; and under that pretense to endeavour to gain admittance and confidence in private families,

I only offer this by way of inducement and illustration of what is strictly evidence, and what I think by law I may; it is to shew in general, that there was a plot; [and cited some authorities out of the state trials.]

Court — Mr. Murray, you must prove that signing to be general Oglethorpe's hand.

I was proved accordingly: and so much of the letter read as relates to the present purpose; which followeth;

Frederica, in Georgia, May 16, 1741.

Sir—A party of our Indians returned the eight instant from war against the Spaniards; they had an engagement with a party of Spanish horse, just by Augustine, and brought one of them prisoner so me; he gives me an account of three Spanish sloops and a snow, privateers, who are sailed from Augustine to the northward, for the provision vessels, bound from the northward to the West-Indies, hoping thereby to supply themselves with flour, of which they are in want. Besides this account which he gave to me, he mentioned many particulurs to his examination before our magistrates.

Some intelligence I had of a villianous design of a very extraordinary nature, and if true, very important, viz. that the Spaniards had employed emissaries to burn all the magazines and considerable towns in the English

North-America, thereby to prevent the subsisting of the great expedition and fleet in the West-Indies: and that for this purpose, many priests were employed, who pretended to be physicians, dancing-masters, and other such kinds of occupations; and under that pretence to get admittance and confidence in families. As I could not give credit to these advices, since the thing was too horrid for any prince to order, I asked him concerning them; but he would not own he knew any thing about them.

I am, sir, your very humble servant,

Superscribed, JAMES OGLETHORPE.

To the honourable George Clarke, Esq.
Lieutenant Governor of New York.(t)

Court—Mr. Murray have you any more witnesses?

Mr. Murray—Sir, we shall rest here at present.

Court—Mr. Ury, have you any witnesses; for now is your time to produce them?

Prisoner—May it please the King's judges, and the gentlemen of the jury—it is very incongruous to reason to think that I can have any hand or be in any way concerned in this plot, if these things be duly weighed; that after the discovery of the conspiracy and the execution of many for it, that I should act such a lunatick part if I were guilty as to continue in the city, join with Mr. Campbell, and not only so, but publicly advertise myself in teaching of grammar(v) yea further, that I should still continue even after the caution Mr. Webb gave me a week and a few days before I was taken into custody he told me Mr. Chambers told him the eyes of the city were fixed on me, and that I was suspected to be a Roman priest and thought to be in the plot I answered my innocency would protect me I valued not what the world said, again another instance that must free me from this plot when Mr. Campbell went to take possession of Hughson's house his daughter refusing to go out and she swearing like a life guardman I took up the cause Mr. Campbell not exerting himself as I thought was proper at that time and told her if she would not go out quietly I would take another method with her for I would have no such wicked person (as she was said to be) live where I was to dwell now reason must pronounce me innocent for had I been engaged in their scheme my guilt my fears would have forced me to have acted in a very different manner rather to have soothed her and gave her liberty to stay till

provided for instead of not shewing her the least countenance and further what corroborates my non knowledge of this plot is that the negro who confessed as it is said that he set fire to the fort did not mention me in all his confession doubtless be would not have neglected and passed over such a person as I am said to be namely a priest and if he was bound by any oath or oaths as he confest it shewed he thought it or them of no value and therefore would have confessed and laid open the whole scheme and all the persons he knew concerned in it but more especially the priest as it is said I am and what is still more strong for my innocency is that neither Huson his wife nor the creature that was hanged with them and all that have been put to death since did once name me certainly gentlemen if I am a priest as you take me to be I could not be so foolish as to engage myself in so absurd contrivance as to bind myself with a cord of negroes or what is more profligate whites the scum of the earth superior in villiany to the kinghts of the post to make an halter for me gentlemen as there is a great unknown and tremendous being whom we call God I never knew or saw Huson his wife or the creature that was hanged with them to my knowledge living dying or dead or the negro that is said to have fired the fort excepting in his last moments but put the case I had known Huson's and had been at his house is it to be inferred from thence that I must be acquainted with his villiany or knew his secrets and as he kept a public house which is open and free for all is it reasonable to think that all or any man being seen at Huson's must make him or them culpable or chargeable with his villiany surely no for if so sad would be the casé of many gentlemen who in travelling the countries in England who have used bad houses or inns and lit into the company of highwaymen who by their garb and conversation they took for some honest country gentleman or tradesman and yet these have not been in the least suspected but I fear all this trouble of mine springs from and is grounded upon, the apprehensions of my being a Romish priest, and therefore must be a plotter some believing there can be no mischief in a country but a priest (if there) must be in it say they that in the chain of general woes the first and the last link must be tied to the priest's girdle. But gentlemen I must assure you from reading and conversation I believe no priest would hold a confederacy with negroes they are too wise too cunning to trust such sort of gentry it is not men of fortune good sense and learning they care to meddle with or entrust in such affairs

as plots excepting they be men of their own kidney of their own way of thinking in religion supposing a priest could be so foolish or become so non compos mentes as to plot in short a priest a joint contriver of firing a fort a celebrater of masses a dispenser of absolutions as it is said I am so long passed by such a particular person forgotten No gentlemen you must think and believe he would have been the next person after the discovery of the plot that would have been brought on the carpet And further what is of great note is that Huson was sworn to the whole projector and carrier on of the plot and if these witnesses know me so well as they pretend to how came it about what reason can be assigned why they did not bring me out before what not know any thing of me before I came to prison, doubtless they would have been eager to have betrayed me when the scheme was discovered, for being a priest and consequently artful and cunning they would have been afraid of my escaping No if I had been engaged they would have soon informed thinking to have saved their own lives knowing how this government stands affected to such gentlemen, And as to the second indictment wherein——

Court—Mr. Ury, if you have any witnesses to examine, it is more proper you should do that now, and make your defence afterwards.

Prisoner—If that be the pleasure of the judges, I have several witnesses; I desire Mr. Croker may be called.

Mr. Croker called and sworn—Prisoner—As I have lodged at your hous for some time, you can best give an account of my manner of life and con versation; and pray first inform the king's judges, and jury, if you ever saw any negroes come after me.

Croker—No, I never saw any negroes come after you.

Prisoner—Pray give an account of what you know of me.

Croker—Mr. Ury came to my house the summer before last, and stayed a week and then returned to Burlington, and came back last November, and said he was going further; but I prevailed upon him to stay, to teach my son latin, for which I was to give him his lodging and diet. He taught Norwood's children, and Col. Beekman's daughter to write and cypher. Some time ogo he went to Staten-island, and preached there, and said he was paid for it; he lodged at my house from November till a little before Campbell took Hughson's house; and while he was with me, he kept pretty good hours; sometimes he came home by eight, or nine, or ten o'clock, and

sometimes staid out till eleven or twelve at night. He once went to Brunswick this spring, before the fort was burnt, as I heard, or else I do not know that he lay out of my house; that once talking of negroes, I heard him say, he did not think them proper objects of salvation. He used to go up stairs sometimes, light a candle in the day time, and lock himself up in a room alone.

Attorney General—Pray, Mr. Croker, was you in town all the time he lodged at your house?

Croker—No, I have been out for a day or so.

Attorney General—Pray, Mr. Croker, what hours did the prisoner usually come home at?

Croker--Sometimes sooner and sometimes later: I have known him stay out sometimes till eleven or twelve o'clock, once or twice later; I asked him why he stayed so late, and where he had been? he commonly told me he had been at Mr. Webb's; and sometimes at some other private houses.

Attorney General—When did Ury come to lodge at your house, and when did he leave it?

Croker--He came to my house in November last, and left it a little before Campbell went to live at Hughson's house.

Attorney General—Have you ever heard him preach?

Croker—Yes, once, and he then said he was to preach again the next Sunday; and in his prayer before sermon, he prayed for his majesty king George, and all the royal family.(*w*)

Joseph Webb called for the prisoner and sworn.

Prisoner—Mr. Webb, I desire you will give an account of what you know of me.

Webb--I have known Mr. Ury since November last, I was then at work at John Croker's, at the fighting cocks, and hearing him reading Latin and English, and thinking he read well, enquired of Croker who he was? he told me he was a schoolmaster lately come from Philadelphia; and from this I became acquainted with him, and I asked him if he would teach a child of mine: and he said he would, if Croker would give him liberty of coming to his house; which Croker agreed to; and I sent my child to him, and he taught him Latin; and after this I recommended him to Col. Beekman, to teach his daughter to write and cypher; and he and I growing more

—(*w*) Which is beyond what any other witness says, and contrary to Ury's own pretended principles of a non juror.

and more intimate, and I observing a poor and mean appearance in his habit, I thought his pocket might be answerable to it; and I gave him an invitation to my house, and told him he should be welcome at my table noon and night, at any time, when he saw proper; and he frequently came to my house accordingly all the winter: that he used often to stay at my house late in discoursing, sometimes on one subject, sometimes on another; and has stayed there now and then till eleven or twelve o'clock at night, and I have often gone home with him to his lodging at those hours. Mr. Ury told me he was a non juring minister; having asked him who ordained him, he answered me, the senior non juror in England: I have heard him preach, and have heard him say, such a day is my sacrament day, and he must be at sacrament.

Attorney General—Did he say he must take the sacrament, or be at sacrament or administer the sacrament?

Webb—I cannot be sure, but I remember he said it was his sacrament day.

Attorney General—Was it Sundays or working days he said were his sacrament days?

Webb—I cannot be sure, but I think I have heard him name both.

Attorney General—Do you know any thing of his buying of wafers, or going to a confectioner's?

Webb. He asked me for a confectioner's shop, and I showed him Mr. De Brosse's, where he went along with me; and after he asked for several sorts of sweetmeats, he asked for wafers; which being shown to him, he asked Mr. De Brosse if he made wafers for the Lutheran minister, and he was told he did, but I do not remember that he bought any of them: I I have heard him pray and preach several times, but do not remember that ever I heard him pray for king George, but in general terms for the king. am by trade a carpenter, and Ury applied to me to make him up something in Hughson's house, which I have heard since called an altar; that Ury gave me directions for making it, and said it was a place to lay books on to read, or to put a candle or a bottle and glass on, or other such like common uses; it was two pieces of board, which formed a triangle, and was raised against the wall, at the bottom of which was a shelf; on each side there was a place to hold a candle.

Attorney General. Do you think if a man wanted a shelf or other place to lay a book on to read, or set a bottle or glass on, he would make it in that form?

Webb. I can't say; people may have odd humours, but I should not.

Attorney General. When you made it, what did you take it for?

Webb. I can't say: I followed his directions.

Attorney General. Do you know any thing of Ury's being imprisoned in England?

Webb. Ury did tell me that he was imprisoned in England: for he said he had wrote a book there, and that the critics laid hold of it, picked a hole in it and construed it treason; but if it was, he said, it was contrary to his intentions.

Attorney General. Mr. Webb, in your conversations together, what have you heard him say about negroes?

Webb. We were one day talking about negroes, and I said I thought they had souls to be saved or lost as as well as other people: Ury said he thought they were not proper objects of salvation; I replied, what would you do with them; what, would you damn them all? No, says he, leave them to that Great Being that has made them, he knows best what to do with them; says he, they are of slavish nature, it is the nature of them to be slaves, give them learning, do them all the good you can, and put them beyond the condition of slaves, and in return, they will cut your throats.

Court. Mr. Ury, would you ask this witness any more questions?

Prisoner. No sir, I have nothing more to ask.

Court. Have you any more witnesses?

Prisoner. Yes sir, I have some more, I desire that John Campbell and Mrs. Campbell may be called.

John Campbell and his wife sworn.

Prisoner. Mr. Campbell, did you ever see me at Hughson's house before I went there with you, and what passed there?

John Campbell. I never saw him there till I went to take possession of the house at May day last, and then we were going there together, he said he did not know the way thither, and when we came down, he took Gerardus Comfort's house for it; as for any thing else, I know nothing more of him, for I took him for a grave, sober, honest man.

Prisoner. Mrs. Campbell, will you please to give an account of what you know of me, and what passed between Sarah Hughson and me, when we went to take possession of the house.

A. Campbell. I went with my husband and Mr. Ury, on May day last, to Hughson's, to take possession of the house, and when we came there,

Sarah Hughson the daughter was in possession, and we told her she must go out of the house, for that my husband had taken it: whereupon Sarah Hughson swore and cursed at me; Mr. Ury said to her, how dare you talk so impertinently and saucily to an old woman, you impudent hussey! go out of the house, or I will turn you out; Sarah then swore miserably, and said you have a house now, but shall not have one long. I have often heard him pray and sing psalms, and he prayed by a sick woman; I never saw any harm by him; my husband and he were to keep school together.

Court. Will you ask them any more questions?

Prisoner. No sir, I have nothing more.

Attorney General. If your honours please, as the prisoner has been endeavoring to prove he is not a Romish priest, and has already insisted on it as a part of his defence; I shall beg leave to examine a witness or two to that point.

Court. Call them then, Mr. Attorney.

Joseph Hildreth, school master, and Richard Norwood, called and sworn.

Attorney General. Mr. Hildreth, will you give an account of what you know of the prisoner, how you became acquainted with him, and what has passed between him and you in conversation from time to time.

Hildreth. What I have to say, sir, I have committed to writing. [and produced a paper from his pocket.]

Chief Justice. You must not read the paper, but you may look into it to refresh your memory.

Hildreth. The way I came to hear of, or know this Mr. Ury, was, that last winter some time in February, I happened to be in company with a friend at Mr. Croker's, and Mr. Webb, joiner, called me aside and asked me what school I had and if I would incline to take a partner, one very well versed in the English, Latin and Greek tongues? I answered what school I had I could very well manage myself, I had no inclination for a partner at all; he said he was a good sober sort of a man, and understood his business very well; and if we could agree, he did not doubt but it would do very well; I answered him I inclined to be master of my own school alone, though it was not so large as if I had a partner. He seeing I had no inclination for him, did not tell me who he was.

Some time after, about seven or eight weeks, I had a little business on board captain Griffiths, where I met with him and Webb in company, which

was the first time I ever spoke to him, then after our salutation of each other, he began to ask me some questions concerning my school and method of teaching; after which we stepped in at Baker's and took a serious glass together; at which time he took a small book out of his pocket (English and Latin) and construed (I think) the 117th psalm; then laying the book on the table, I took it up, and was going to look on the title page, but he directly seized it out of my hands, and told me I must not look into it, and put it into his pocket.

Another time at my school, I had some discourse with him concerning Mr. Whitefield's letter in answer to Mr. Wesley's sermon on free-grace, which letter he did not approve of at all, and told me he believed it was through the great encouragement the negroes had received from Mr. Whitefield, we had all the disturbance, and that he believed Mr. Whitefield was more of a Roman than any thing else, and he believed he came abroad with no good design. Then I asked him what was the signification of a non-juror, as I understood he pretended to be? and he answered those that would not take the oath of allegiance, as he did not; I asked him why? says he can you swear one to be a bastard? no; no more can they say king J—— was one; and the difference between we non jurors and other, in this; we in the prayers for the king and royal family, mention no names, as they do; I asked him if they prayed for the pretender? he said, for him, let him be who he will, that was the king, he mentioned do names.

At another time, says he, you talk so much against popery, I believe though you speak so much against it, you will find you have (or I think you will have) a pope in your belly, for says he, the absolution of the church of Rome is not half so bad as that of the church of England at the visitation of the sick: but says I, I don't approve of their confessing to priests, &c., says I there is a deal of wickedness and deceit in it: says he, no, no, for when any person makes confessions the priest does not know who they be, for he does not so much as see them, but only hears and absolves them: Then says I, I was mistaken. Oh! says he, they speak against the church of Rome, but don't know them; their priests says he, are the most learned of men; the articles of the church of England were made in distracted times. And I observed several times he said, we priests. Says he, your Roman priests will make you believe, and prove by the plain rules of grammar, that black is white, and white black, and that the wafer and wine is the real body and blood of Christ.

We were often in company, but the best part of our discourse was upon salvation by faith alone, which he would not allow, nor predestination; and he told me he really believed the moon to be an inhabited planet, and all the stars were inhabited; or else says he. I would not repeat that part of the nicene creed, begotten of his father before all worlds; and says he, many texts of scripture confirm it to be so.

I was several times in his company, but do not remember any thing in particular relating to priests, &c. but the last time I had any thing of discourse was about two days before I heard him preach, and then in his room; I seeing the altar placed in the corner, I asked him what use was that for? first he said only to lay books on, or for a candle to sit and read by; but I told him I could not think it, for I supposed it for the sacrament by its form and odd colour; I begged him to let me know what it was; so after some time he seriously told me it was for the sacrament; and he told me, I think, every saint's day it was exposed, only covered with a piece of white linen, and that he administered on some proper days; and he told me they received the wafer instead of bread, and white instead of red wine: I asked, why the wafer? because, says he, the wafer is most pure; and no bread he thought pure enough to represent the body of our Lord; then going to his small box, says he I will get a piece and you shall taste it if you will, and he brought me a piece, and I took and eat it.

I think he told me, that some time before he had baptized a child in the house, but they used more ceremonies that we; and he talked as if they anointed and washed one another's feet; he told me further, that at the time of the celebration, or at what time the sacrament was exposed, they had lighted candles burning to represent our Saviour as the light of the world; and when I came in to hear him preach, I accordingly saw it as he told me; for he told me before, that if I came on Sunday evening to hear him, I could see it, for the sacrament was on the altar, covered with a white linen cloth, and there were three candles burning, but not a minute after I came in, he put out the candles, and put his sacrament in his box, and locked them up.

Some time after I became thus acquainted with him, I was informed that he kept a private meeting, and made use of the church form of prayer every Sunday evening, at the house of Mr. John Campbell, in his own hired room.

My curiosity led me the next Sunday evening to go and hear him preach, but when I came there he told me he did not make a practice of preaching to any others but those of his own society, and those of his society did not make any practice of running to any of our churches o meetings, for he did not approve of any such thing; and as he was a non-jured minister. so he had a society and members of his own.

Afterwards he told me had some company from Philadelphia (I think) and desired to be excused; but next Sunday evening, if I would call, he would be glad to see me.

The next Sunday evening I accordingly went, and heard him discourse upon the second chapter of the second epistle of St. Peter, the 1st, 2d and 3d verses; and before he dismissed us, he told us he would preach the next Wednesday following (being the day his majesty began his happy reign) upon the 16th chapter of Matthew, the 18th and 19th verses, adjoining to them the words of our Lord to his disciples, whose soever sins ye remit, they are remitted unto them, and whose soever sins ye retain, they are retained: which discourse I did not hear.

Council—Mr. Ury, would you ask this witness any question?

Prisoner—No sir, I have nothing to ask him.

Attorney General—Mr. Norwood, will you give the court and jury an account of what you know of the prisoner at the bar?

Norwood—I became acquainted with him last fall, and I agreed with him in December to teach my children to write and read; that several times in conversation with him he talked in such a manner that I suspected him to be a popish priest. He used very often to miss coming to teach my children at the school time, and made frivolus excuses, and at last I was very angry with him and discharged him; that in the evening he used very often to pretend that he must go to pray by a sick person by the English church that belonged to his society, or that he must go and pray with his society by the English church:(x) whereupon I once asked him to let me go along with him, but he refused me, and I had often a mind to have dogged him, to have seen where he went. and do not know how it happened, but I never did; that one day I met Campbell, the school master, in the street, who said to me, what do you think? Webb has taken away his son from me, and has put him to a school master that lodges at Croker's; and Campbell said, d—n him, he is a popish priest; and at last having a bad opinion of him, I discharged him, lest he should inveigle my children, and I told him I would have nothing more to say to him.

Court—Mr. Ury, would you ask this witness any thing?

Prisoner—No sir.

Mr. Murray—May it please your honours, and you, gentlemen of the jury.

That the prisoner is a Romish emissary, sent according to the intimation in general Oglethorpe's letter, I think must be concluded from what has been given in evidence against him; and from the known principles of the Romish religion, it may be judged what inducement the prisoner had to undertake so wicked and diabolical a project. The letter of general Oglethorpe has been offered by way of inducement, and in aid of other evidence in general, to shew that there was a plot, and therein I apprehend we are justified by the precedents and authories in law before cited.

Mr. Smith, addressing himself to the court, proceeded as followeth.

Before the prisoner enters upon his defence, we conceive it will be proper to read to him some passages out of the sundry books that declare the customs and usages of the church of Rome, to which his practices among us, as declared by the witnesses, fear some conformity; and unless he can make it appear that his practices are warranted by the usuage of any other church, we conceive they will convince every body that he is a priest of the Roman church, and no other.

And first, as to the use of salt—Petere de Moulin, in his book entitled, Anatomie de la Messe, part 2, p. 84, gives us the form of the priests exorcising salt, in order to prepare it for their superstitious uses, in the following words; which, because the prisoner professes himself a scholar, I shall first read in the original, and then render it into English.

Exorcisco te, creatura salis, per Deum vivum, per Deum verum, per Deum sanctum, per Deum qui te per Elisæum, prophetam, in aquam mitti jussit, ut sanaretur sterilitas aquæ; ut efficiaris sal exsorcisatus, in salutem credentium, ut sis omnibus te sumentibus, sanitas animæ & corporis, & effugiat atque discedat ab eo loco quo aspersus fueris, omnis phantasia & nequitia, vel versutia diabolicæ fraudis omnisque spiritus in mundus adjuratus, per eum qui venturus est judicare vivos & mortuos & seculum per ignem. Amen.

In English thus—Creature of salt, I exorcise thee by the living God, by the true God, by the holy God, by the God who commanded thee to be put into the water by Elisha the propbet, that the barrenness of the water might

be healed; and thou mayest become salt exorcised, for the salvation of them that believe; that thou mayest be to all who take thee health of soul and body, and that from the place where thou art sprinkled, may fly and depart every apparition and wickedness or craftiness or diabolical fraud, and every unclean spirit adjured by him who will come to judge the quick and the dead, and the world by fire.. Amen.

As to the popish use of salt in baptism, we have a most authentic testimony in their catechism, edited by the decree of the council of Trent, in chapter 9, De Baptisimi Saramento.

The 66th question is—Cur ejus qui baptizatur, ori sal admoveatur?

Responsio—Accedunt ad exorcismum aliæ ceremoniæ, quarum singulæ ut quæ mysticæ sint propriam, atq; illustrem significationem habent, nam cum sal in illius os qui ad baptismum adducendus est, inseritur hoc significari perspicuum est, cum fidei Doctrina & Gratiæ dono consequarturum esse, ut a peccetorum putredine liberetur, saporemque bonorum operum percipiat, & divinæ sapientiæ pabulo delectetur.

In English thus—Q. 66. Why is salt put to the mouth of the person that is baptized?

Answer. There are other ceremonies added to exorcism, of which some being mystical, have a proper and remarkable signification; for which salt is put in the mouth of him who is to be brought to baptism, it is clear that this is signified, that he shall obtain by the doctrine of faith and gift of grace, a freedom from the corruption of his sins, partake of the savour of good works, and be delighted with the food of divine wisdom.

As to the point of absolution—We have the Jesuits' doctrine concerning it at large, in a book, entitled, Les Provinciales, ou Lettres ecrites par Louis Montalte, a un provincial de ses amis et au R. R. P. P. Jesuits sur la Morale a la politique de ces Peres. Tom. 2, lettre 10. I shall only cite one or two passages from this letter page 50, which quotes Le P. Bauni, q. 15, In these words:

On peut absoudre celui qui avoue, que l'esperance de're absous l' a porte a pecher, avec plus de facilite qu' il n'eut fait, sans cette esperance.

"Et el P. Caussin defendant cette proposition dit. p. 211, de sa Resp. a la Theol. mor. que si elle n' etoit veritable, l'usage de la confession seroit interdit a la plu'part du monde et qu'il n' y auroit plus d' autre remede aux pecheurs qu' une branche d' arbre et une corde."

In English thus—A man may be absolved, says father Bauni, who confesses that the hope of absolution encouraged him to commit sin with the greater ease, which he had not done without such hope. And father Caussin defending this proposition, says, that if this was not true, the use of confession would be forbidden to the greatest part of the world; and sinners would have no other remedy left but the limb of a tree and a halter.

This is the doctrine of the church of Rome, contrary to that of St. Paul who says, shall we continue in sin that grace may abound? God forbid.

May it please your honours, this is all that we shall mention at present, that if the prisoner pleases, he may take notice of them in his defence, and shew if he can, that he had another warrant than the church of Rome, for the like practices proved by the witnesses.

Court—Mr. Ury, now is the time for you to make your defence.

Prisoner—May it please the king's judges, and the gentlemen of the jury.

[Here the prisoner read over again that part of his speech which is set forth before, and then proceeded as followeth.]

And as to the second indictment wherein I stand charged with being an ecclesiastic person made by authority from the See of Rome that I have celebrated masses given absolutions and that I have acknowledged myself to be a priest of the Church of Rome all which cannot is not proved. As to my professing myself to be an ecclesiastic of the church of Rome is very improbable if it be considered that no gentleman who is a priest would be so childish as to tell any person out of communion that he is a priest there must be as I have been informed very good proof that a person is a Roman catholic before a priest will have any thing to say to him and that proof consists in the persons producing a regular certificate from their last confessor and as to my celebrating of masses it is very unlikely if it be considered that if the evidences saw me celebrating of masses they must have seen more, seeing there can be no mass without two at the altar, and by the priest's breviary and directory for celebrating of high mass three priests two officials and at some masses four officials twelve a clock As to absolution it is well known by the learned that the sacrament of penance must precede which if the evidences are asked what it means I believe they can give no account of. It is not persons professing themselves Roman catholics by going to mass or being brought up in that way that have any thing to

say to a priest and as to those who were not born within the pale of that church if not learned that know any thing of her doctrines or worship much less to converse with priests as priests nay before they can partake of any privileges of that church they must be rebaptized and inducted Now how come these persons to know so much, to be acquainted with priests and their secrets who know not what mass is nor what the difference of a vesper from a compline or a compline from a nocturn nor the hours of mass no more than we where swallows shelter in the winter, but by conjecture; as to my books and writings I cannot be deemed a Roman catholic either a spiritual person or laick I believe it cannot with reason be concluded that a person having a mass book in possession must therefore be a papist If so a man having the alcoran must be a Mahometan and a presbyterian with a common prayer must from thence be a churchman but I believe that will not be allowed by any—That written book was transcribed from the secret history of Europe and after some remarks I told colonel Beekman it was a very insipid thing and that if a priest wrote it he was a very foolish one But now suppose these lines are my own thoughts does that make me penable when they never were exposed in print and therefore cannot be libelious. I remember in the case of Algernoon Sidney who was beheaded in king James II. reign for writings found in his closet which were of his own composing and this was thought so wicked and unreasonable an action that king William and his parliament took of the attainder of high treason and registered it murder And gentlemen I believe you cannot be brought to think that such a venerable pious and learned gentleman as Mr. Comyns could make such a mistake as to take a roman priest for a non juring minister nor yet the gentleman when he recommended me to ——— as a person worthy their notice and benevolence which accordingly took effect for I had my passage paid and provided for until I could get into business—gentlemen the mistake the major part of the world lies under is their apprehending that a non-juring priest must be a popish priest whereas there is no truer protestants for they are far from having any regard to a pretender or for setting on the throne a popish prince to be head of a protestant church. The doctrine they assert and stand by is non-resistance and passive obedience which is now as vigorously maintained as ever it was in any reign And I believe that there is no non-jurer either clergy or laity but would shew themselves such true subjects to the present king George as to take

the oaths of allegiance and supremacy I have now no more to say but hope and pray that what has been offered will be considered with minds unprejudiced minds prepossessed with no opinions with minds in a diligent search after truth You being gentlemen I hope fearing God reverencing conscience hating partiality lovers of truth and innocency and having a tender regard to life.(y)

Mr. Smith summed up the evidence for the king, and addressing himself to the court and jury, proceeded as followeth.

Though this work of darkness in the contrivance of a horrible plot, to burn and destroy the city, has manifested itself in many blazing effects, to the terror and amazement of us all; yet the secret springs of the mischief lay long concealed: this destructive scene has opened by slow degrees: but now, gentlemen, we have at length great reason to conclude, that it took its rise from a foreign influence; and that it originally depended upon causes, that we ourselves little thought of, and which, perhaps, very few of the inferior and subordinate agents were intimately acquainted with.

The monstrous wickedness of this plot would probably among strangers impeach its credit; but if it be considered as the contrivance of the public enemy, and the inhuman dictate of a bloody religion, the wonder ceases.

What more cruel and unnatural can be conceived, than what Rome has contrived; yea what more savage and barbarous, than what popery has attempted, and sometimes executed, for the extirpation of that which the papists call heresy? We need not go far from home as the vallies of Piedmont, nor rake into the ashes of the ancient Waldenses and Albigenses, for tragical instances of popish cruelty. We need not remind you of the massacre at Paris, nor the later desolations in France, nor mention the horrible slaughters of the duke d'Alva, in the Low Countries. We need not recount of the many millions of lives, that in remote countries, and different ages, have been sacrificed to the Roman idol; nor measure out to you that ocean of foreign blood with which the scarlet whore hath made herself perpetually drunk.

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[y] This and the other part of the speech, or defence, delivered by the prisoner, being taken from his paper, which he read in court, from whose hands it was obtained the next morning; and being wrote in the prisoner's own hand, without stops or pointing, he apologized therefor to the person he delivered it to; and as there were none in the original, the compiler would not risk altering the sense by printing it with any; though it may be remarked, that those who were somewhat acquainted with the man, were of opinion, he was not very capable of making them.

No, gentlemen, the histories of our native country will give us a formidable idea of popery; and inform us of the detestable principles of that religion: witness the blood of our own martyrs (who perished in prisons and at the stake) without beginning higher than my lord Cobham, and recounting their number down to the end of queen Mary's reign.

Witness that execrable design to blow up king, lords, and commons, in the gunpowder treason, contrived by the papists; that intestine fire that broke out in the late unnatural civil war, the coals whereof were blown up by them. The bloody massacre of many thousands of protestants by the Irish papists, about the same time: the restless spirit of that party, which has broke out in plots in almost every reign since the reformation. The arbitrary and illegal measures that preceded the glorious revolution; and the unnatural rebellion within our memory: these are all evidences of the destructive tendency of that bloody religion, which, in order to promote its interest, never boggles at the vilest means, can sanctify the most execrable villianies; and to encourage its votaries, will cannonize for saints a Guy Faux and others, some of the greatest monsters of iniquity that ever trod upon the face of the earth!

Gentlemen, if the evidence you have heard is sufficient to produce a general conviction that the late fires in this city, and the murderous design against its inhabitants, are the effects of a Spanish and popish plot, then the mystery of this iniquity, which has so much puzzled us, is unveiled, and our admiration ceases: all the mischiefs we have suffered or been threatened with, are but a sprout from that evil root, a small stream from that overflowing fountain of destruction, that has often deluged the earth with slaughter and blood, and spread ruin and desolation far and wide.

We need not wonder to see a popish priest at this bar, as a prime incendiary; nor think it strange that an Englishman of that religion and character should be concerned in so detestable a design. What can be expected from those that profess a religion that is at war with God and man; not only with the truths of the Holy Scripture, but also with common sense and reason; and is destructive of all the kind and tender sensations of human nature? When a man, contrary to the evidence of his senses, can believe the absurd doctrine of transubstantiation; can give up his reason to a blind obedience and an implicit faith; can be persuaded to believe that the most unnatural crimes, such as treason and murder, when done in obedience to the pope, or for the service of the holy church, by rooting out what they call

heresy, will merit heaven; I say when a man has imbibed such principles as these, he can easily divest himself of every thing that is human but his shape. he is capable of any villiany, even as bad as that which is charged on the prisoner at the bar.

[Then Mr. Smith proceeded to observe on the several parts of the indictment, that were necessary to be proved, in order to convict the prisoner; particularly that Quack did burn his majesty's house in the fort; that the prisoner did counsel, abet, procure and encourage the said negro to commit that felony. He observed, that the three witnesses, Mary Burton, William Kane and Sarah Hughson, had fully proved the fact. He reminded the jury of the caution that the court had taken in favour of the prisoner, so that none of the three witnesses had heard the testimony which was given by those which had been examined before them; the particulars of which evidence is before mentioned, and the observations thereon, are here omitted for brevity sake.]

And then concluded—Thus, gentlemen, nothing remains to be considered but the credit of the witnesses. Indeed two of them have been concerned in the plot; but we have proved them (under their present circumstances) to be legal witnesses. They all give a consistent account of the fact; and if you believe their testimony, we think you cannot avoid finding the prisoner guilty. You have heard the prisoner's defence; which, we conceive, does not affect the main parts of the accusation: he tells you that he must have been a lunatic to have stayed in town after notice, if he had been guilty; true; and in some sense he must be supposed to have been a lunatic from the time he first concerned himself in this detestable plot. Gentlemen, all wickedness is in some sort madness; and the degrees of it rise in proportion to the enormity of the crime; and when men have filled up the measure of their iniquity, and are ripe for ruin, they are commonly cut off from all the means of escaping it.

As to his rough language to Sarah Hughson at Campbell's, on which he lays some stress; this may be accounted for, as proceeding from other causes than his innocence; either from a personal resentment of a supposed injury to himself, who wanted the room she took up in that house; or perhaps with a design to make a show he never had been acquainted with her; for priests, he tells us, are very artful and cunning. But be this how it will, we conceive it cannot amount to a disproof of the main charge against the prisoner.

As to what he alleges concerning Quack, Hughson and his wife, and the creature that died with them, not having accused him ; we think very little can be inferred from thence in his favour. As to Quack, he accused many in general terms more than he particularly named ; and indeed the confession that Quack made was in the hurries of death, after he was fastened to the stake. Hughson, his wife, and the creature that died with them, confessed nothing at all; therefore nothing can be inferred from their not accusing the prisoner. It seems strange, that Mr. Ury could not give us the name of that creature that died with Hughson and his wife, seeing as Mary Burton says, he was so well acquainted with her as to have had the liberty of undressing himself in her bedroom.

As to the prisoner's appeal to God for his innocence ; this we conceive witnesses nothing in his favour, but rather against him ; but we often find, that the wickedest of men will attempt to cloak their villianies with the same practice, and good men are ever sparing in their appeals to heaven, even in cases where their innocence is concerned.

He says that it does not follow from his being at Hughson's, that he was guilty of the plot : true ; but admitting that he had used that house, his pretence to John Campbell, of not knowing it, must have been a piece of craft ; and it renders the evidence of his being concerned in the wickedness carried on there, the more probable.

He says a priest is more artful and cunning than to trust negroes, if so foolish or non compos mentes as to plot; but gentlemen, this proves nothing in the prisoner's favour ; for supposing a priest to be concerned in the plot, it was too extensive for him to execute it alone, and therefore he must trust part of it to such tools as he could find.

Thus gentlemen, I have replied to the principal part of the prisoner's defence, from which we conceive there appears nothing material for his justification. As to his being a Roman priest, this was only offered as an inducement to the credit of the testimony of the witnesses who were brought to prove his being an accessary to the burning of his majesty's house in the fort; and was allowed by the court to be given in evidence on this trial, upon the authorities which were produced only for this intent.—That he is a priest is what he has often confessed and never denied ; he has also confessed that he is a non juring priest, and consequently bears no good will to the present government. But we have no evidence of his having confessed himself a Roman priest. That he was reputed such, by some of his acquaintance, is clear from what William Kane has told you ; that he approved of their practices, seems evident from his conversation with Mr. Hildreth.

You have doubtless, observed that before the prisoner made his defence, we read to him (in Latin) sundry passages, and one of them out of an authentic book of the Roman church, being their catechism, published by a decree of the council of Trent: these passages we translated into English, in his hearing, which shew the usages of that church to be agreeable to the practice of the prisoner in this city. We have shewn from the writings of the Jesuits the Popish doctrines concerning absolution; and to what extent they carry that imposture and cheat upon mankind: this also has been read to the prisoner (in French) and also translated into English. We urged that the prisoner ought (if he could) to shew that he was a priest of some other communion that maintained these usages, and preached such doctrines; if not, his performing his priest's office in Latin, his baptizing with salt, his use of the crucifix, his exposing the sacrament by lighted candles, his preaching upon those texts upon which the papists pretend to found the Pope's supremacy, and his declared power to forgive sins as well as God Almighty, will undoubtedly fix the brand of a Roman priest upon him. To all this the prisoner has made nothing that can be properly called a defence. He says, indeed, that there is no proof of his having confessed himself a Roman priest, nor that he has celebrated mass: he tells us also that nonjurers are not papists, that their principle is passive obedience and non-resistance; and seems willing to screen himself under that denomination.

But, gentlemen, though we have not proved that the prisoner is a Roman priest, by his own confession, or his celebration of mass; yet he has not denied that the instances proved against him, are notorious badges of popery; and such as we conceive will leave it past any reasonable doubt, that if he is a priest at all, he is a priest of the Romish church.

However, gentlemen, as I observed before, the principle point in this trial, is to prove the prisoner was an accessary to the burning of the king's house in the fort; if you find also that he is a Roman priest, then though he is guilty, as the indictment charges him, and has acted a most wicked part in the public and private mischiefs that have troubled us, yet he has acted consistent enough with the principle of that corrupt and apostate church, whereof he is a member; and all that the witnesses have declared against him, is more easy to be believed.

Gentlemen, I shall add no more; but leave to you the direction of the court, and your own consciences, not doubting but that you will weigh the evidence which has been produced, and give such a verdict in the present case as will be consistent with your oath and duty.

Then the chief justice charged the jury, and a constable being sworn to attend they withdrew; and having staid out about a quarter of an hour, returned, and found the prisoner guilty of the indictment.

SUPREME COURT.

Tuesday, August 4.

Present, the Chief Justice, the second and third justices,

The King against John Ury alias Jury.

On motion of Mr. Attorney General, the prisoner was called up to judgment, and being set to the bar and asked whether he had aught to say in arrest thereof, why sentence of death should not be pronounced against him? he had nothing to offer; but requested the favour of the court, that they would allow him as much time as they could before his execution, for the settling of his private affairs.

Then the Chief Justice (after taking notice of the heinousness of the offence of which he was convicted, the dangerous and pernicious tendency of the doctrines of the church of Rome, which emboldened her disciples to embark in the most hazardous, wicked, and inhumane enterprizes. which he illustrated from several passages cited from the works of the late archbishop Tillotson) he exhorted the criminal to make a candid and ingenuous confession of his guilt, and an ample discovery of his accomplices in this dark confederacy, and to improve the time the court would indulge him with to the best advantage, in order for his preparation for another world, whither he was soon going to give an account of his actions.

He was sentenced to be hanged next Saturday, the 15th inst.

Court adjourned till Tuesday, the 11th inst. 11 o'clock in the morning.

Saturday, August 15.

This being the day appointed for the execution of John Ury, his honour the lieutenant governor, was pleased, upon the humble petition of the said Ury, to respite the same till Wednesday following.

Juan alias Wan de Sylva, the Spanish negro, condemned for the conspiracy, was this day executed according to sentence; he was neatly dressed in a white shirt, jacket, drawers, and stockings, behaved decently, prayed in Spanish, kissed a crucifix, insisting on his innocence to the last.

SUPREME COURT.

Tuesday, August 25.

Present, the Chief Justice.

Court opened.

The King against John Urv.

The prisoner, John Ury, being set to the bar, and asked what he had to say why execution should not be awarded against him according to his former sentence? and having nothing to allege.

Ordered. that the said John Ury be executed according to the said sentenence, on Saturday next, between the hours of 9 and 2 of the same day.

Court adjourned till Monday, the 31st inst.

SATURDAY, AUGUST 29.

This day John Ury was executed according to sentence. Being asked by the sheriff whether he had any speech or paper to deliver? he answered he had given one to his friend, Mr. Webb (the person who attended him at the gallows:) he repeated somewhat of the substance of it before he was turned off: a copy of this paper was made in the jail (from one delivered by Ury himself in his own hand writing;) from which the following was taken.

THE LAST SPEECH OF JOHN URY.

Fellow Christians—I am now going to suffer a death attended with ignominy and pain; but it is the cup that my heavenly father has put into my hand, and I drink it with pleasure; it is the cross of my dear redeemer, I take it with alacrity; knowing that all that live godly in Christ Jesus, must suffer persecution; and we must be made in some degree partakers of his sufferings before we can share in the glories of his resurrection: for he went not up to glory before he ascended Mount Calvary; did not wear the crown of glory before the crown of thorns. And I am to appear before an awful and tremendous God, a being of infinite purity and unerring justice, a God who by no means will clear the guilty, that cannot be reconciled either to sin or sinners; now this is the being at whose bar I am to stand, in the presence of this God, the possessor of heaven and earth, I lift up my hands and solemnly protest I am innocent of what is laid to my charge; I appeal to the great God for my non-knowledge of Hewson, his wife, or the creature that was hanged with them, I never saw them living, dying, or dead; nor never had I any knowledge or confederacy with white or black as to any plot: and upon the memorials of the body and blood of my dearest lord, in the creatures of bread and wine, in which I have commemorated the love of my dying lord, I protest that the witnesses are prejured; I never knew the perjured witnesses but at my trial. But for a removal of all scruples that may arise after my death, I shall give my thoughts on some points.

First—I firmly believe and attest, that it is not in the power of man to forgive sin; that it is the prerogative only of the great God to dispense pardon for sins; and that those who dare pretend to such a power, do in some degree commit that great and unpardonable sin, the sin against the Holy Spirit, because they pretend to that power which their own consciences proclaim to be a lie.

Again, I solemnly attest and believe, that a person having committed crimes that have or might have proved hurtful or destructive to the peace of society, and does not discover the whole scheme, and all the persons concerned with them, cannot obtain pardon from God: and it is not the taking any oath or oaths that ought to hinder him from confessing his guilt, and all that he knows about it; for such obligations are not only sinful, but unpardonable, if not broken; now a person firmly believing this and knowing that an eternal state of happiness or misery depends upon the performance or non-performance of the above-mentioned things, cannot, will not trifle with such important affairs.

I have no more to say by the way of clearing my innocence, knowing that to a true christian unprejudiced mind, I must appear guiltless; but however, I am not very solicitous about it. I rejoice, and it is now my comfort (and that will support me and protect me from the crowd of evil spirits that I must meet with in my fight to the region of bliss assigned me) that my conscience speaks peace to me.

Indeed, it may be shocking to some serious christians, that the holy God should suffer innocence to be slain by the hands of cruel and bloody persons; (I mean the witnesses who swore against me at my trial,) indeed, there may be reasons assigned for it; but, as they be liable to objections, I decline them; and shall only say, that this is one of the dark providences of the great God, in his wise, just and good government of this lower earth.

In fine, I depart this waste, this howling wilderness, with a mind serene, free from all malice, with a forgiving spirit, so far as the gospel of my dear and only redeemer obliges and enjoins me to, hoping and praying, that Jesus, who alone is the giver of repentance, will convince, conquer and enlighten my murderers' souls, that they may publicly confess their horrid wickedness before God and the world, so that their souls may be saved in the day of the Lord Jesus.

And now, a word of advice to you, spectators: behold me launching into eternity; seriously, solemnly view me, and ask yourselves severally, how stands the case with me? die I must: am I prepared to meet my Lord when the midnight cry is echoed forth? shall I then have the wedding garment on? Oh, sinners! trifle no longer; consider life hangs on a thread; here to-day and gone to-morrow; forsake your sins ere ye be forsaken forever: hearken, now is God awfully calling you to repent, warning you by me, his minister and prisoner, to embrace Jesus, to take, to lay hold on him for your alone saviour, in order to escape the wrath to come; no longer delay, seeing the summons may come before you are aware, and you standing before the bar of a God who is a consuming fire out of the Lord Jesus Christ, should be hurled, be doomed to the place, where their worm does not, and their fire is never to be quenched.(z)

Note.—This copy differs from that supposed to have been printed at Philadelphia soon after Ury's execution, which perhaps might have been altered and corrected by some of his associates, as also that of his defence made at his trial, which was printed with it; for that in the foregoing trial was taken from a copy literally transcribed from one delivered in his own hand writing, without points; it was therefore printed with Ury's mis-spellings, and unpointed, that the reader may have a specimen of his scholarship, and from thence conjecture, whether the defence and dying speech were of his own genuine product.

The following account concerning this person, comes from a gentleman who had several conversations with him between the time of his sentence and execution, who says Ury informed him,

That his father was secretary to the South Sea Company, but died when the said Ury was young.

That after the death of his father he was taken care of by a gentleman who bore the character of a non jurer; but who, he had since reason to believe, was a Jesuit.

That he was educated at two universities. But what universities they were, he did not care to tell me.

That he afterwards became a non-juring clergyman; and that the head of their society was one Dr. Clarke.

—z See Langhorn's Dying Speech, State Trials, 2d Volume.

That while in this character, he was taken up and tried for writing a book against the government; of which he was found guilty: upon this account, a chapel he had of his own, and which brought him in 50*l.* sterling per annum, was seized into the hands of the government, and he himself escaped with his life only through the character and interest of his friends. Being thus reduced to difficult and disgraceful circumstances, he could not bear to stay in a place where he had once lived in honour and credit; and this occasioned his removal into America.

Says the gentleman, I had a great curiosity to know how far this account of himself was true; and he having often told me that he was intimately acquainted with a gentlemen of distinguished worth and character in London, with whom I had some correspondence by letters; I wrote to that gentleman, desiring if he knew any thing of this John Ury, that he would give me a particular account of him and his circumstances.

In answer to my request, he informed me—That John Ury's father was a secretary of the South Sea, but dismissed before the great advance of it in 1720; so that he had no share in those gains: that when he died he left his family in the utmost distress and poverty. This John Ury had been a sort of a shop-boy, to carry messages, but educated to no business or profession.

His highest ambition was to be a common servant in a family. He professed great religion, went often to worship with the dissenters, but always communicated with the church of England. He never heard of his writing against the government, nor believed him capable of it, being without education: at last, being disappointed in most of his designs, he fell into distraction. From which time this gentleman heard nothing of him, till the melancholy news from America, which was about the space of three years.

Dr. JOHN GILMARY SHEA ON THE TRIAL OF JOHN URY.

On May 6th, 1862, Dr. John Gilmary Shea read a paper on "The New York Negro Plot of 1741," before the New York Historical Society. Concerning John Ury, Dr. Shea said:

The Statute Book of New York contained few penal laws against the Catholics; they were, indeed, disfranchised by act and by the strange oath then required; but the only penal law, properly so called, was one passed in 1700, by the Earl of Bellomont, fresh from the civil war in Ireland. It was intended to drive the Catholic missionaries from the cantons of the Five Nations, where they had been laboring for many years; and as these missions ceased, the law had remained a dead letter. It imposed a punishment of imprisonment for life on any Catholic priest who was found in the colony after November, 1700.

Under this law Ury was arrested. The object was not to imprison him, but to create such a prejudice against him as would assure his conviction for being concerned in the plot. When Mary Burton was taken to see him she forgot all her former testimony, and concocted an entirely new tale, making Ury the chief conspirator. Inconsistent as it was, it was credited, Horsemanden stifling his misgivings and every effort made to corroborate it Sarah Hughson, convicted with her parents, had been reprieved from time to time. They attempted to induce her to frame a tale. She said, what subsequent testimony confirmed, that Ury had never but once been to her father's, and then with a Mr. Campbell, who was about to hire it. But when the matter was narrowed down to the simple choice between the gallows and the witness-box, she yielded, and made up a tale to satisfy them.

On the 29th of July Ury was arraigned on the indictment for conspiring with Quack to burn the King's house in the fort. The Attorney-General, Bradley, opened chiefly with a tirade against Roman Catholics and their religion, and after proving Quack's conviction, called Mary Burton. Her account was short, entirely different from her previous statements, and absurd on its face. It was in fact that they let her see all the preparations of the plot, and then wished her to swear secrecy. Poor Ury, evidently a mild, inoffensive man, of little ability, put a few questions to her, but of little moment. He made no effort to show the inconsistency of her present story by a search cross examination.

William Kane, a soldier denounced by Mary, and whose life depended on his through swearing, then testified to having been sworn into the plot by Hughson, in Ury's presence; he also testified to a christening performed by Ury. Sarah Hughson, pardoned that morning on her agreeing to testify against Ury, also swore to his being in the plot. With this testimony and Oglethorpe's letter the Crown rested.

Ury then began his defence, and justly said:—"I fear all this trouble of mine springs from, and is grounded upon, the apprehension of my being a Roman priest." He called attention to the fact that Hughson had been deemed and sworn to be the whole projector of the plot, and that the witnesses who now testified to their knowing him so well, had never alluded to him till he was arrested. Being ordered by the Court to call his witnesses, he summoned Mr. Croker, at whose house he lodged; Mr. Webb, whose son he taught; and the Campbells, with whom also he had lived. Their testimony, as far as negative testimony could go, showed that he kept regular hours, was not out at times when he was alleged to have been at Hughson's; that Sarah Hughson did not recognize him as one she knew; that he was a quiet, simple man, professing himself to be a non-juring clergyman, ordained by the senior non-juror of England; having been imprisoned there for writing a book which was construed to be treasonable His church-service was peculiar.

The Attorney-General then called a rival teacher, Joseph Hildreth, and Richard Norwood, whose testimony amounted simply to the suspicion that he was a priest; and Bradley then, with great gravity and utter absurdity, read from "De Moulin's Anatomie de la Messe" and "The Provincial Letters," to show what Catholic usage and doctrine was as to salt and absolution.

Mr. Ury then made his defence, resuming what he had before said. In regard to the second indictment, he made some observations which were just enough. He felt the general ignorance prevailing as to Catholic æsthetics, and knew that the jury, and probably bench and bar, were perfectly incompetent to tell whether certain ceremonies were or were not the Mass of the Roman Catholic Church. Yet these men, thus ignorant, were in reality, on this very point, to decide upon his life; men who, like the great mass of our literary men even now, "know not what mass is, nor what the difference of a vesper from a compline, or a compline from a nocturn, more than we where swallows shelter in the winter."

Smith closed the case for the Crown with a vehement appeal against the Roman Catholic Church—a fit counterpart of his successful philippic, on another occasion against the Jews—and reviewed the testimony, which he held clear and ample.

After an absence of a quarter of an hour, the jury brought in a verdict of guilty; and a few days after Mr. Ury received sentence of death, which was carried into execution on the 15th of August.

At the scaffold he made a short address, averring his innocence and forgiving his enemies.

With Ury's death the legal massacre ceased.

The interest in the Negro Plot centres in Ury. The Hughsons had made themselves amenable to the law as receivers of stolen goods; some of the negroes had by theft, and perhaps by arson; but Ury seems to have been entirely innocent. The impression that he was really a Catholic priest is, I think, without foundation. His whole conduct and language, his religious service, in a sort of St. Barnabas style, all militate against this view. His diary mentions his visits to no place where Catholic clergy were to be found; and no other Catholic archives furnish the slightest clue to any such priest, either regular or secular, as having come to this country.

A law passed against Catholic priests was once only enforced, and then to bring to a disgraceful death a Protestant clergyman.

It is evident, that Mary Burton was wholly unworthy of credit; for independent of the absurdity of many of her stories, she on the 22d April at her first examination declared upon oath, that she never saw any white person in company, when they talked of burning the city, except her master, her mistress and Peggy Slainburgh; yet on the 25th of June following she deposed, that one John Ury, a Catholic priest, who was a *white man* was often at Hughson's, and that the negroes talked in his presence about setting fire to the city and killing the whites. She afterwards, on the 14th July following, swore that one Corry a dancing master also a *white man*, used to come to Hughson's and talk with the negroes about the plot. Yet on such evidence, Ury, who had been previously committed, under an act against popish priests, was convicted and executed. With his last breath, he solemnly denied the charge; but *he was a Catholic priest and the public prejudice was so strong, that it required very little more to ensure his condemnation.* The infamous Mary Burton, however, received the hundred pounds which had been promised as a reward for discovering the persons concerned in the plot.—Hardie's *Description of New York*, p. 51.

JOHN URY IN PHILADELPHIA.

As may have been observed in the foregoing narrative, John Ury arrived in Philadelphia on February 17th, 1739. He left the City and on June 18th records that he was teaching school at Burlington, N. J.

During his stay in Philadelphia there is no evidence of his having called on, associated with Father Joseph Greaton—the only Priest in Philadelphia—or of having performed any services at Old St. Joseph's chapel. In November 1740, Ury left Burlington and went to New York.

The late Rt. Rev. William Perry Stevens, D. D., Bishop of Iowa, in the year of his death (1898) gave me the information that Ury was educated at Cambridge University. He had obtained from it a transcript of Ury's record.

Here are extracts from *The Mercury* and from *The Gazette* of Philadelphia which relate to Ury.

The Mercury No. 1110, of April 9th, 1841, had "Extract of a Letter from New York to a gentleman in this city dated April 6th."

It told of the many fires in that city—how the city was under arms and to continue so all nights and for three months there is to be 25 men out of every Co. to watch their turns—that 24 negroes had been taken and put in goal and all the negroes in the city were to appear at the city hall next day.

On May 14th it announced: "A great number of persons are apprehended for being concerned in the late fires." On July 3d it said: "The indefatigable vigilance of our magistrares is hardly to be expressed there being now 11 negroes capitally convicted and about 100 in goal. Several whites are impeached and committed on suspicion, one among them is one strongly suspected to be a Romish priest."

On July 9th it stated that on July 3d five negroes had been executed, the next day one burned. On July 16th the report was that 15 negroes were to be executed, 42 negroes have been indicted and confessed and ordered transported; a great many whites are concerned in the hellish design. On the 23d the report was: "Last week the Popish Priest is arraigned upon his indictment and is to have his trial this week." That on Saturday 18th

"five lusty jolly negroes and one Spanish Indian were hanged on account of said plot and one pretended negro doctor transported. One of those that were hanged behaved with such unparalled Impertinence and Impudence as greatly to amaze the spectators."

On August 6th the report was: "On last Wednesday one John Ury, a Romish priest was tryed for being concerned in the late conspiracy and after a tryal of nine hours was capitally convicted thereof and is this week to receive his sentence." On 20th the statement was made: "Last Saturday another Spanish negro was executed on account of his being one of the conspirators in the late plot. At the place of execution he made a long prayer in the Spanish tongue, making use of his Beads with a crucifix in his hand which he often kissed and crossed himself after the manner of the Roman Catholics. He to the last denyed that he was guilty of said plot for which sentence of death was passed against him. John Ury the Romish priest is reprieved till Wednesday next. He has wrote his dying speech which 'tis said will be made publick."

The closing report was in *The Mercury* No. 1131, of September 3d, 1741, in news from New York: "On Saturday last (29th) John Ury, the Romish priest (so often mentioned in the newspapers) was executed according to sentence passed against him. He appeared at the gallows with a very composed countenance, he kneeled down and prayed very devoutly. And as in his prayer to God he denyed the fact witnessed against him, so he prayed that it would please Almighty God to cause some visible constraint upon the witnesses to manifest to the world that they had witnessed against him was false. Then he made a speech to the spectators (having a written paper in his hand) declaring before God and to the world that he dyed innocently. And with the same steady and composed countenance and behaviour pulled off his wig and gave it to his Friend, settled the rope about his neck and then put on his cap and desired his Friend to tye his handkerchief over his eyes. Which done the cart drove away."

Franklin's paper, *The Gazette*, had the same report of the execution but to leave no doubt, I suppose, of the fate of Ury, it added to the last sentence, "and he dyed."